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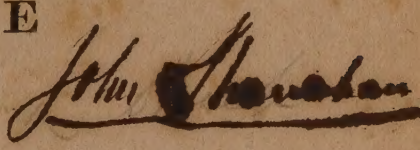

RIGHT HONOURABLE

JOHN PHILPOT CURRAN,

LATE MASTER OF THE ROLLS IN IRELAND,

BY HIS SON,

WILLIAM HENRY CURRAN,

BARRISTER AT LAW.

NEW-YORK:
PRINTED FOR WILLIAM H. CREAGH.

.....

1820.

[C. N. Baldwin, *Printer.*]

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PREFACE.

The Publisher, aware of a close intimacy having subsisted between Mr. Sampson and the late Mr. Curran, addressed the following note to Mr. Sampson.

" NEW-YORK, August 14, 1820.

" SIR,

" I have just received the life of Curran by his Son, which I send you for your perusal—I know you will hail its appearance with rapture, and read it with delight. I recollect when I mentioned to you my intention of reprinting it, you were so kind as to say you would furnish me with some facts relative to that great man; knowing how peculiarly interesting those must be, when they come from one who enjoyed so much of his confidence and esteem, I am eager to have them as soon as your leisure will permit, and any letters of his that you may happen to have preserved, and think proper to give, will much add to the obligation; I am rapidly progressing with the work, and expect to have it ready for publication within five or six weeks. I remain, Dear Sir, with great respect, your very obedient servant,

" WILLIAM H. CREAGH."

Wm. Sampson, Esq. New-York.

" NEW-YORK, September 2, 1820.

" SIR,

" I deferred answering your letter till I had read the Book you were so good as to send me, which I have since done with much admiration; and though the sensations it excited were somewhat sad, yet it rejoiced me to find the genius of Curran surviving in a Son, who in vindicating his father's fame, has nobly, though perhaps unconsciously, established his own, and sweetly mingled the tender sentiment of filial piety, with the manly decision of a faithful and candid historian.

" I had been often before solicited to furnish something towards Curran's history; and about the time that this author proposed to become his father's biographer, an invitation from him to that effect was communicated to me through my friend Mr. Emmet. That I did not comply with a request which I deemed an honour, was not from any unwillingness to pay my share of a just tribute, but from an insurmountable reluctance to revive recollections full of regret, and the difficulty of separating the history of Curran

from that of his country, with which it was interwoven: and to speak on that subject with fulness and effect the time was not yet arrived. These difficulties, sir, I stated to you when I promised (for so I find you have considered it) to write something, but I merely thought of vindicating the reputation of a man, much extolled, but often undervalued, from censures founded on misapprehensions and mistakes. And let me add, that whatever difficulties I felt before, they are only enhanced by the reading of the work, where I find the task so well performed without any aid of mine, by the legitimate heir of his father's celebrity who has so manfully taken charge of his own inheritance. Nor did I then know how I had been anticipated by an article of uncommon excellence in the Edinburgh Review. I now feel in its full force the delicacy and danger, without, or even with, the permission of the author, of interpolating any thing into a book, whose principal fault judicious critics find to be its too great amplitude: and to which defect, I should, with due respect, add that of its being already burthened with too long notes. I am therefore better pleased that you have appropriated a space which will separate from the body of the work the little I have to say, and where it may be read or passed over without disparaging the book. And though I may not now be able to add any interest to this biography, it is a consolation to find that my earlier labours have not been without their use; since the celebrity of Curran with posterity is now said to depend chiefly upon his forensic speeches, and upon those particularly which I was instrumental in preserving. Amongst these I find the preference is given by the author to the defence of Mr. Rowan, and that it has principally attracted the attention of the critics: amongst whom, though there are some too light to be regarded, there are others from whose judgment it is not always safe nor easy to appeal, and who have by so much the more weight, as their strictures, though to my seeming somewhat fastidious, are tempered by urbanity, liberality and justice. I have said that some critics were undeserving of regard; and the mention of this defence of Mr. Rowan, challenges the insertion of an anecdote that may amuse the reader, and prove a lesson to self-conceited pedants.

"One of these gravely informed his readers, that Curran was not, as weaker men thought, gifted with extraordinary facility of imagination or felicity of expression, nor with those ready and exhaustless treasures of classical acquirement, for which he had got credit: that he was evidently a crafty, slow, mechanical compiler, with no more wit or genius than a common bookmaker: and that the effect of his "*magical effusions*" upon his hearers, proved nothing but his and their "*bad taste*," which he considered as a contagious malady, and seemed busying himself no little to prevent its spreading. This new fangled paradox the sententious critic affected to prove by the concluding passage of Curran's argument for a new trial in Mr. Rowan's case, in which he could discover the marks of the tools, as a judge of

bank paper distinguishes between the freedom of the pen and the stiffness of the graving iron. I had no time, as little ambition, and I fear too little means of figuring in a literary controversy, and least of all in verbal criticism, which has been always my aversion: and I let this pass, knowing that folly, if rebuked for the gingling of her bells, will but gingle them still the more. But I am tempted by the apropos which arises out of the work now before me, to state what I know of that very passage. It will go so far in fulfilment of what you seem to expect from me. It runs thus:

'You are standing on the scanty isthmus that divides the great ocean of duration, on one side is the past, on the other is the future; a ground, that whilst you yet hear me, is washed from beneath your feet. Let me remind you, my Lord, while your determination is yet in your own power, *dum versatur adhuc inter penetralia vestæ*, that on that ocean of the future, you must set your judgment afloat, and future ages will assume the same authority which you have assumed, posterity will feel the same emotions which you have felt, when your little hearts have beaten, and your infant eyes have overflowed, at reading the sad history of the sufferings of a Russel or a Sidney.'

"Now this was so little premeditated, that the speaker had finished his discourse, and actually sat down before it was ever thought of; and it was uttered extemporaneously upon a suggestion of my own. The manner of it was this. I sat next to Curran, and was busy in writing the sentence with which he had concluded, when he, in the act of sitting down, whispered in my ear 'are you satisfied with me?' I whispered back in as few words as I could say it—'you might have said something of Jeffreys, and Scroggs, and Russel, and Sidney.' This was enough for his quick and apprehensive genius. He knew that though the Lord Chief Justice, Clonmell, who presided, had enjoyed to satiety whatever the blind Goddess could bestow, and that though he had for many years braved public censure, yet, that in his latter days he was supposed to feel a craving for *character* which wealth or station could not purchase, and a dread of infamy from which it might not screen him. The then Solicitor General was Mr. Toler, who followed in his steps, and became Lord Chief Justice Norbury, the same who condemned the virtuous and accomplished traitor Robert Emmet. They were both taken up during the Vicroyalty of Lord Townsend to serve in the House of Commons as soldiers of fortune. They were bold and adventurous; they took the beaten track of preferment, and devoted themselves to the Castle without scruple or reserve. It was to this corrupt mode of elevation that Curran had alluded, by that strong figure applied to the Judges, in the period preceding the revolution, and which has branded their memories, that 'they remained at the bottom like drowned bodies while they had any soundness, and only rose by their corruption.'

"Mr. Rowan was a country gentleman of figure, fortune, and education, eminently distinguished and infinitely beloved. Nature had cast him in no

common mould: as his person was both graceful and manly, so his heart was both tender and courageous: his sympathies were ever with the oppressed against the oppressor. He was, in a word, such as Curran has described him. There were circumstances, moreover, in his story with relation to his judge, and also to the journalist, who selected his jury, that gave to the *group* a strong relief, and to the whole scene a true poetic horror: and nothing was so likely to affect the mind of such a man, or to check any disposition to crush the defendant, as the dread of posthumous infamy. This explanation will suffice for the intelligent reader, and the hint was enough for the vivid and expansive mind of Curran; he rose up as though he had not yet concluded, and after a short prelude finished with that, which the sagacious commentator pitched upon as an unerring proof of plodding preparation.

"The breach of continuity which will be found in my report was owing to the interruption, which the short dialogue I have stated occasioned; for in order to follow him in this splendid conclusion, I left unwritten what he had first closed with, and unwilling to risk any thing of which I was not assured, I was obliged to connect it by common place phrases thus—'Mr. Curran made other observations either to corroborate his own, or to answer the opposite counsel, of which it is impossible to give an exact detail;' and concluded thus—'you are standing,' &c.

From the inquisitive curiosity with which I have been questioned by men of letters in America, particularly those of my own profession, touching one, the charms of whose eloquence they have felt and acknowledged, I doubt not this anecdote will be acceptable. When celebrated men have ceased to exist, the minutest circumstances that shed light upon their manner of being, and their moral habits, acquire an interest. Even *fac similes* of hand writing of men of cherished memory, have been thought worth preserving by engraved copies. Their letters, which are images of their thoughts and minds, must be much better worth preserving. The familiar epistles of Cicero are now read in the interior of this continent by a much greater number, and with no less avidity than they were by the Romans of his own and succeeding times; and, as you say that any letters of Curran will be acceptable, I shall, without more preface, subjoin the following correspondence between the client and his counsel.

'New Prison, Sunday Morning, Feb. 16.

'Mr. Hamilton Rowan presents his compliments to Mr. Curran, he has just read over the report of his trial by Mr. M'Kenzie. It appears to him to be what he had reason to expect it would be, a very mutilated account of the whole, but more particularly in those parts which are said to contain the defence made for him by Mr. Curran. H. R. however, does not feel himself authorised to make such an assertion publicly, without having first communicated his idea to Mr. Curran, and requested to know whether he entertained a similar opinion.'

'Ely Place, Sunday.

'Mr. Curran presents his respects to Mr. Hamilton Rowan—he has also read the printed report, in which he found the defence made for Mr. Rowan very strangely reported indeed. Mr. Curran thinks himself bound upon that subject to acquaint Mr. Rowan with the following particulars. Last Sunday Mr. M'Kenzie, the publisher of the report, brought Mr. Curran a paper which he said was a note of the defence, and which he begged Mr. Curran would peruse and correct; Mr. Curran informed Mr. M'Kenzie that he had not leisure for that, but told him that two gentlemen of the bar had taken a very full note of the above trial, and he would procure their note of his defence as soon as those gentlemen could have it transcribed from the short hand in which it was taken. Mr. Curran also told Mr. M'Kenzie, that the paper he brought him, and which Mr. Curran read, contained so mutilated a statement of that part of the trial, as Mr. M'Kenzie would not be warranted in publishing. Mr. M'Kenzie assured Mr. Curran he would not, for any consideration, do so improper a thing, and that he would not suffer it to appear. Next day Mr. Curran received the enclosed letter, which he sends to be made use of, together with this, in any manner that Mr. Rowan may think proper.'

'College Green, Monday Morning.

'I am exceedingly distressed at finding myself not able to do as I promised yesterday (and as I thought myself fully warranted.) The gentleman whom I am printing the trial for, will not suffer me to make any alteration, he employing me only as the printer. I am, with much respect, your obedient servant, W. M'KENZIE.'

To John Philpot Curran, Esq. Ely Place.

"I shall add one or two letters from Curran, written to myself in the easy style of friendship. I select them, because they have some reference to this trial; and also, because they turn upon the concerns of my own family, and have regard to no other persons, nor no more important subject; and I, therefore, feel myself the more free to dispose of them. But here a word or two by way of preface may be necessary. The trial of Mr. Rowan was upon a criminal information, filed *ex officio* in Trinity Term, 1793, by the Attorney General. The cause was tried at the bar of the King's Bench, in Hilary Term, 1794. I was then too young in my profession to take part in a trial where the most eminent lawyers were engaged on the same side, with the precedence due to their experience, their standing, and the silk gown. I therefore undertook that duty by which I could best serve and gratify my friend, that of writing down what passed, to prevent others from imposing false statements upon the public. It appears that a certain domestic occurrence invited my return to Belfast, where I had a house, and

where I spent some of the vacations between the terms, and where my family then was. I had either transcribed my notes before I left Dublin, or sent them back from Belfast to Mr. Rowan, then a prisoner under his sentence in Newgate, and employing himself in editing the report. My note was, I believe, afterwards collated, for more certainty, with the minutes of Mr. Ridgeway, a gentleman of the bar, who wrote short hand with great precision; for I never could prevail with Curran to lend the smallest aid, and I believe he was utterly unconscious of many of the beauties of his own discourses. I knew that he was utterly incompetent to retrace them. This task he left entirely to the reporter. He once told me playfully, that if he had dropped any stiches, his gossip knew best how to take them up. The following letter I received in Belfast."

'DEAR SAMPSON,

'I have executed your commission to Emmet faithfully. We have all very sincerely congratulated you on the fruits of your family toils, of which we are disposed to entertain the most favourable prognostics, and we do hereby offer you and your fellow labourer, our best and worthiest greetings thereupon.

'As to my part I have so strong an hope, that young *Agonistes* will one day achieve, what by reason of his tender years he may not now be able to perform, that I should, without scruple, have become bound for him in a spiritual recognizance to any amount; but, perhaps, not having yet decided under what banner he is to carry on the war of the flesh, he has not troubled himself with thinking of a bottle-holder. If he should talk about the matter, you may just hint to him that I pique myself upon a knowledge of the creed and ten commandments in the vulgar tongue.

Emmet tells me the trial will be out on Monday.

Yours very truly,

J. P. CURRAN.'

February 21, 1794.

"The person here called *Agonistes*, was my now only son John Philpot Curran Sampson, and the reader need not be told, that the offer was to be his god-father or sponsor: and it seems that he had been invited to name the child, for he shortly after writes thus:"

'MY DEAR GOSSIP,

'A man did so foolish a thing, as proposing to do *very well* what may be as well, perhaps better done *middlingly*, for he certainly postpones, and probably does it so much the worse. If any thing can save him from the consequences of his past coxcombry, it can be only the want of time when he comes to perform—so it has been with me. I felt a foolish propensity to write a fine letter to you, instead of answering promptly and kindly what I

felt very kindly. I have now but a moment to say what I should have said two posts ago. I am very much flattered by my god-child's opinion of my orthodoxy, and I most cheerfully vow as many things in his name as he thinks he may be able to perform. As to the name itself, I accept the permission with much gratitude, but must beg to make Mrs. Sampson my true and lawful attorney, in my name, and on my behalf, to name that name, wishing from my heart, that it may often give gladness to hers and to yours.

'I should feel infinite pleasure in taking a trip to you, if my miserable avocations would leave it in my power to do so. I should wish to make my court to the young fellow before he got any prior liens upon his affections. If the levity of the age should unluckily catch him, he may chance to look upon my paternity with not so much reverence and regard as he ought to do. I received your enclosed, and as a friend and critic, I find our opinions not much asunder. Apropos—*e contra*—how do you find I look in your labours?

Yours sincerely, as also my gossips,

J. P. CURRAN.'

"This term *gossip*, has various acceptations in the English language, it means sometimes a merry-maker or pot-companion, a prater generally, and more especially a tatling woman. In its strict etymological sense, it means *relation;* in the canonical sense it is that spiritual affinity created by sponsorship, at the baptismal font: but in Ireland it has a sense connected with her fearful code and mournful history, that renders it an endearing expression of sympathy and affection. Thus we find Sir John Davies, the attorney-general of king James, in Ireland, in his '*discovery of the true causes why Ireland was never entirely subdued*' speaking thus: part 1.—171, &c. 'For first it appeareth, by the preamble of these lawes, (*the statutes of Kilkenny*) that the English of this realme, before the coming over of Lionel duke of Clarence, were at that time become meere Irish in their language, names, apparell, and all their manner of living, and had rejected the English lawes, and submitted themselves to the Irish, with whom they had made many marriages and alliances, which tended to the utter ruine and destruction of the commonwealth. Therefore, alliaunce by marriage, nurture of infants, and *gossipred* with the Irish, are by this statute made high treason.'

"Curran seemed tenacious of this word, and we find him writing in 1803, from Paris, that he had refused to dine with lady Oxford, because he had bargained for a Cabriolet, to go and see his *gossip* in the valley Montmorency; and relating his adventure, as he related it with more humour to us, how he was wrong directed, and instead of seeing his god-son, went back to Saint Denis, where he was fleeced, and had nothing for his dinner but the landlord's bill.

"The biographer has truly said, that the magical effusions of his father's genius, are better known by the traditions of his contemporaries, than by the most faithful reports of his speeches. This holds still more true with respect to his reputation as a wit, wherein I am sorry to say, he has been mercilessly dealt with. I may be but an indifferent judge of that quality of the mind, but chance has made me acquainted with a number of those, who, in my days have been most celebrated for it in various countries, and I have known none of any country, who had any pretensions to vie with Curran. Yet I cannot so much complain of his critics upon this score, for the selections of his jests, and *bons mots*, seem to have been made by gentlemen of the same cast as he who employed Mr. Mc. Kenzie to report the trial of Hamilton Rowan. I am sure I have heard from him a hundred pleasant sallies in the course of one convivial day, the very meanest of which was preferable to the best I ever saw in print.

"It is much to be regretted, that the Author was too young to have been the partaker of either of his father's convivial moments, or of his more serious thoughts during the epoch of his greatest celebrity. For since with borrowed materials he could form so fair a sketch, had he enjoyed those advantages, how true to life and nature would his portrait then have been. But from the year 1792, till 1798, I can retrace in memory no other image of Mr. William Henry Curran, than as one of many children, playing about the house and gardens of the Priory. Having said so much, it might be expected, that I should exhibit some proofs, but the reading of this biography, has given to my thoughts and affections, a tone not at all suited to the recording of jokes. It is at any time difficult, if not impossible, by any disposition of the letters of the alphabet, to communicate the point and spirit, the look, the gesture, and the apropos, that altogether go to constitute the grace and beauty of things too fine for handling; things that can charm but once; things that emit one transient gleam, and like the meteor of the shooting star, vanish as soon as seen. If they are not entirely lost by tradition, the finer part is sure to escape, the grosser only can be retained. No doubt many of Curran's homelier jests had better have remained in vulgar tradition; they were not intended to be printed, but to please those who could take pleasure in them; for he disdained none of his fellow-creatures, and loved to please them all. But strip these pleasantries of their mimic and scenic accompaniments, nay, even of the vernacular accent with which he could so humorously utter them, and set them in print with the formality of a jest book, to be read off with a cockney accent, and they will have as little charm as the broad scotch in *Tom a Chanter*, or *Old Mortality* if delivered through the same organ. And how many have I pitied, that from contracted prejudices, and want of travel in the intellect, were unable to suffer the sweet strains of Burn's, and the delightful historic tales of Walter Scott, by reason of their *Scotch vulgarity!* Upon the whole, however, I think the author has shewn his good sense in copying so few of those

jokes into his biography, and in giving those few by the way of schedule annexed.

"Much also has been said and written against Curran's bad taste; and alarm has been excited, as well in the Eastern as the Western hemisphere, least his followers should invade the privileged occupants of the hesperean gardens, and rob them of their golden fruits, which certain critics seem determined to watch like trusty dragons. I only hope they will at all times be as ready to unfurl their banners, and as faithful in guarding their favored territory against every other invader. Bad taste is become a favorite phrase in the cant of modern criticism; the more ancient maxim was, "*de gustibus non est disputandum.*" It would be well however, if these literary mathematicians would agree upon their moral standard of faith, before they ostracise genius, and wit, and nature herself from the republic of letters. Where is their true standard, or their first meridian of which we hear so much and know so little? Where is their archetype? their shekel of the sanctuary? Is it east or west of Temple bar? Is it in Pekin or Connecticut? Is their temple of Jupiter in Threadneedle-street or Paternoster-Row? Is their standard formed from an ark of a great circle, or from the span of a literary dwarf?

"Until these questions be answered, it is still open to the academicians to dispute, whether he who could sway the learned and unlearned; could charm the aged and the young; who could call forth at pleasure, the smile or the tear; could comfort the oppressed and appal the guilty; could cast his magic spell on all around; whose tongue, had it been venal, would have been bought at any price; that he who could at once extort the applause of his learned and grave antagonist, and the plaudits of those who shouted at the names of Titus Oates and Algernon Sidney in the hall, was an offender against good taste. (*See the trial of Hamilton Rowan, by P. Byrne, page* 122.)

"As to the 'Irish school of eloquence,' if it means the bad imitators of Curran, it is a fair subject of criticism, and any country that happens to be incommoded with such an annoyance, is under obligations to those that would arrest the contagion or remove the nuisance.

"If there be such schools of perverse imitation the fault is not imputable to Curran, nor to Ireland. It is distressing to me who was born and educated in that country, and probably feel it the more, to see any orator affecting to be what he is not. As when a man of a cold temperament abandoning his own gifts, and breaking loose from nature runs careering after the creations of anothers brain. I have seen such, who after beating their own flanks to gain artificial heat, would fall into a cold sweat. I have seen orators who if they had stood still, and spoken gravely, would have been respectable; not content with that, taking their gestures and attitudes from figures of statuary, straining their voices even to cracking, and bearing no bad resem-

blance to the inanimate images of Mermaids or Tritons in a fountain spouting cold froth: and I acknowledge obligation to those who exert themselves to put down all such dull foppery. To Irishmen of any education this violence to taste and nature is peculiarly offensive; and most of all when the subject of such vaporish declamations happens to be poor Ireland, whose afflictions, without this addition, were enough. Painful indeed it is to those who have borne their portion of their country's sufferings, whose devotion has been solemn and sincere, whose deep and concentrated affections have been deposited like relics of what was dear, to be visited on due occasion in solitude and silence, to find the peace of the living, and the repose of the dead violated by the unfeeling exhibitions of mimes and buffoons, rioting and ranting over the sanctity of the grave.

"With respect to Ireland, it is, unless much altered since I knew it, the last country in which such a school could subsist. I have known men in Ireland, whose elocution pleased, on some occasions, more than that of Curran; but no one to dispute with him the palm of eloquence. There were few Irishmen of education that could not perceive his defects, but I never knew one so foolish as to attempt to imitate them. It is said Mr. Phillips has done so—I cannot agree in the remark. Certainly there is no kind of similitude between Mr. Phillips and Curran. And as to what Mr. Phillips has written from his recollections of Curran, he has laboured under the same disadvantages as Mr. William Henry. He, like him, is too young to have known him in his more brilliant days: and many of the anecdotes he relates of him, prove to me that Curran must have been much altered in his habits from the epoch of my intimacy with him, at which time I never heard the name of Mr. Phillips, whose celebrity is of a much later date, and whose beautiful poem of the "*Emerald Isle*," was the first notice I ever had of his existence.

"I will not pretend to say, that when Mr. Phillips knew this celebrated man, he was not still capable of attracting his admiration, and maintaining the first place as an orator with every one of elevated taste or sentiment. But I could see even in the year 1803, when he was in Paris, that his vigour was impaired; though even there I was asked by good judges of the human character who never heard his history, what interesting, extraordinary man that friend of mine was, who appeared above the common. But it is too evident, from his own confidential letters, and every thing related of him, proves, that from the time the knell of his country's independence was tolled, his spirit sunk, as his great type Cicero, when the Senate and the Forum were no longer open to his free exertions, drooped his wing, grew sad and fretful, even with his friends; so it was with Curran, "a mountain of lead was on his heart," his genius faded, and like the green bow when severed from the mother stem that nurtured it, his verdure withered, his spirit bloomed no more.

" The period of my acquaintance with Curran, doubtless included that part of his life which was of most importance to the public. It began shortly after my admission to the bar, in 1792, and the manner in which it came about was this : I had been waiting in the court of Exchequer a whole day in hopes of having my voice heard in court for the first time, but the day was occupied by an argument, which to me seemed unmercifully prolix, considering that my business, though little more than the reading of a notice, would have entitled me to the compliments of my young friends on the occasion of my launch. I revenged myself with an epigram, written on a blank leaf of my brief, in which I fear there was more of the petulance of youth than there was of wit or discretion. I remember it compared the argument of the learned counsel to a sluggish, oozy, muddy, winding river, overflowing its bed, and leaving no point of its direction distinct or visible, sweeping along with lazy pomp, trodden flowers, and withered weeds, and it ended with this doggerel stanza—

" Leaving nothing he could find,
But his clients cause behind."

I blush to think of it at the end of near thirty years, and yet it was to that folly that I owed the first acquaintance with the most interesting personage I ever knew, or perhaps that any man ever saw. It was snatched from me by a waggish young friend who sent it about ; it found its way among the senior counsel to Curran, who being directed to the spot it proceeded from, looked, and met the eyes of my betrayer (Mr. O'Regan) who seemed to acknowledge the offence with a modest air of contrition. Curran, when the court rose, singled him out and introducing himself as a brother poetaster, invited him to spend the following day at his country house, and lent him his grey mare to go a hunting The next day my friend thanked me in the hall of the four courts for his entertainment, saying he had dined and hunted on my epigram. Curran summoned us both to appear at a future day, to void the quarrel, at the Priory, when the raillery that passed upon this little adventure made part of the entertainment.

" This acquaintance had ripened into confidence and friendship at the time when the British Cabinet, with Mr. Pitt at their head, saw the necessity of making concessions to the Irish nation ; finding that terror and coercion had no other effect than to irritate and alienate a whole kingdom when union was so necessary to their own ends. I suspected at that time that Mr. Pitt had a view to a legislative union, and predicted pretty nearly what has since happened, in a pamphlet called " advice to the rich." This class of the community was at that period so artfully alarmed, that through fear of a popular revolution they began to pledge their lives and fortunes to support the constitution of Ireland by King, Lords, and Commons ; little thinking that he who dictated these addresses and was the author of these alarms, meant that Ireland should e'er long have neither Lords nor Commons.

" It will be recollected that Curran was designated to fill the important office of Solicitor General under the new administration. I was consulted by him and his colleagues upon the best means of winning back the estranged affections of the North. And if any man could be an impartial witness of the transactions of those days, I think I might be so considered: for I had no project or political view whatever, and was no more than a common friend to all that wished their country's good, and very desirous also of conciliation if it had been practicable; I assume it, however, upon the credit of Earl Fitzwilliam, that he was commissioned by the authority of the King, and directly by his ministers, to offer terms of conciliation to the Irish people, and that the conditions were arranged between the Duke of Portland and this viceroy. And it is praise enough to the United Irishmen, that the measure which gave equal contentment to Catholic and Protestant was *Catholic emancipation*. So efficient had been the efforts of that association, to restore their deluded country to the dignity of reason and the charities of the gospel, that a measure which would but a few years before have been furiously opposed by Protestants of every denomination, became now the subject of petitions and addresses, pouring forth congratulations, thanks and praise: so effectually had the advocates of "*universal emancipation*" weeded out the tares the fiend had sown. But no sooner was it found that instead of contention, *union amongst Irishmen* was to be the result; than Earl Fitzwilliam was recalled and with him the proffered boon.

" Some members of the new intended administration have been charged with too great eagerness to vault into the saddle, and too great facility in voting supplies, and pledging their country to "stand or fall with England." without any pledge of reciprocity. As to Curran I am sure, and all his acts and speeches well confirm it, he never did separate himself from the interests of Ireland, and whatever was his disappointment or regret, I am convinced his country shared his honest grief. The consequences of Earl Fitzwilliam's recall, in turning one member of the empire against the other, and the necessary accumulation of armies, fleets, and placemen, if fairly calculated, would prove one, and no inconsiderable cause, why the children of Englishmen now cry in vain for bread.

" Volumes could not contain the atrocities that followed, the soul sickens at the recollection of them: it is in such times however that the virtues of men are tried: it was now that those of Curran shone forth in all their lustre; but unluckily for his fame, the press, which is the tongue of history, and the true organ of the public voice was still and silent, save only when it croaked its sinister ill omened notes, and

' like the raven o'er the haunted house boded to ill.'

" The northern star was destroyed by the troops under General Lake in the beginning of 1797, and the *press*, which shortly shared the same fate, was not commenced till the end of that year, and therefore it was that about

this time I formed an association of all that was best, in and out of parliament, for the purpose of collecting the proofs of these execrable misdeeds. Some of them were stated by Lord Moira, who offered to prove their truth at the bar both of the English and the Irish house of Lords; part was burned by a gentleman to whom I had committed them, through fear that if found with him he might be killed or tortured by the terrorists.

" The first attempts to hang men for taking the obligation to promote reform and religious reconciliation, were made at the Spring or Lent assizes in the year 1797, but the country was not yet subdued, the prisoners were acquitted, and as Mr. Grattan said, ' after being led through their counties as traitors, and above a year confined in gaol, they carried about in their persons the living evidence of a convicted government, and an expired constitution.'

" I was generally engaged for those on the North east Circuit, charged with treason, sedition and union. I had a full opportunity of knowing their sentiments when nothing was, or could be concealed from me. I was here also a disinterested witness, for I was connected with the accused at that time by no tie, but the sympathies of humanity ; and certainly not by interest, since all my hopes of advancement lay the other way. I write this in a community where I am known, where many others of those whom they called traitors, have lived for a long series of years, and are thoroughly known : and in this community I think we will find credit, and therefore I speak truth, in confidence that my veracity will not be questioned.

" It shocked me to see hundreds of thousands of my countrymen, amongst whom were many possessing all the purity, and all the virtue that could adorn their species branded as traitors, and living at the mercy of the veriest and the vilest traitors. Manhood could nor ought not to endure it ; and seeing the crisis at hand when there could be no more neutrality, I took in Open Court the oath of the United Irishmen, repeating it from the very document on which my Client then stood upon his trial, for his life or his death. I learned afterwards that Thos. Addis Emmet had in an opposite extremity of the Kingdom, without any concert between us, done the same thing, from a like impulse ; and having done so, defied the grand jury to indict him.

" I did not do this in the spirit of bravado or romance, but because I hated dissimulation, and felt a consciousness that I was doing what became me, and I never have repented of it.

" The triumph of the people however at this period was great and signal. Meetings were convened in the County towns by the Sheriffs, or the principal freeholders, and petitions to the King were resolved upon, praying for peace, reform, catholic emancipation, and dismissal of ministers. I drew up one with my own hand in a few minutes, snatched from a trial in which I was engaged, and so much was it in unison with the public feeling, that it was passed without alteration or dissent by the rich and populous county of Down.

" But between this and the Summer Assizes of the same year the terror was redoubled ; the gaols were crowded more than before with persons committed under the gunpowder act, the convention act, the habeas corpus suspension act, and other acts, proclamations, and pretences. The trials were preluded by torture, houseburning, massacre, and every species of terror that could intimidate and appal prisoners, jurors, witnesses, agents, and counsel. Despair had driven the United Irishmen, as I afterwards learned, for I did not then know it, to form an alliance with France. And many prominent men, who had joined the association late and reluctantly, were instrumental in that measure—such is the effect of tyranny. But all who had not nerve for such a struggle fell back, and many, swore constrained oaths, for which they got but little credit, and which did not always save them from torture or persecution ; added to all this, it became the practice of parliament to pass bills of indemnity to screen the offenders ; so that all complaint, all hopes of redress, all appeals to the law, were utterly in vain.

" The friends of the prisoners now found it necessary to engage in their defence the powerful aid of Curran's talents ; and I was associated with him in more than a hundred causes.

" The scene grew darker still and darker. Military violence had not yet entirely closed the courts of law : the robe still showed the judge, and the bayonet the soldier ; but like Kirk and Jeffreys they marched hand in hand, making their unhallowed rounds together. It was now that Curran, diving into the very souls of the accused and the condemned, had that full evidence upon which he assured his friendly adversary (Lord Kilwarden), that these men were not what they had been represented ; that their hearts were honest, and their cause was that of Ireland. It was here that he employed his greatest efforts to save the lives of men deserving of a better fate, and where the loftier powers of his eloquence could not avail, he resorted to the other various means which his ingenuity could furnish. One instance may suffice to show, how wit, or even humour, may serve to effect a grave and generous purpose which nothing else could bring about.

" There was a brave and honest individual condemned to death for the crime of union. Though upright and courageous, he was not considered very dangerous; and he had friends amongst those that dealt out life or death. Curran could not save him from his jury, but it was suggested that on due submission he might be respited and pardoned. The greatest difficulty however still remained in the firm and stubborn honour of the man himself. He was sworn, he was above the order of the poor, and the poor who shared his crime, had shared no mercy; he refused all submissions, or to set an example that might reflect on his fidelity. All the persuasions of his eloquent advocate could not so much as move him, till seeing into his character, he hit upon a way to gain him through his pride. He reminded him that he and the King were the only parties to the record, that the rest were *meddlesome* fellows that had nothing to do between them, and were not worth his

notice; and as to the King he so represented his infirmity, that it would not become a United Irishman, '*to even his wit to him.*' This argument succeeded when the terrors of death could not. The prisoner begged pardon of the King, and afterwards as I have heard emigrated to this republic, where if he still lives he can confirm the story, but to return:

"It was during this summer circuit of 1797, that having retired to rest after a day of fatigue and anxiety, I was awoke in the night by the appellation of *Gossip;* and looking up, I saw on a corner of my bed with his feet gathered up under him, that illustrious orator, whose voice had a few hours before hurled defiance at the proud, and whose eyes had shot their piercing glances through the guilty heart. That voice was now soft and subdued, those eyes now lowly and dejected. I looked at him for a time as he did at me before either spoke. He held a glimmering candle in his hand, and his appearance to say the very least was picturesque. I would have laughed, but I saw his heart was sad. He at length opened the object of his visit. His mind was full of gloomy presages, and he had tried in vain to sleep. All hopes of conciliation were now past, and nothing but civil war could follow: crime on one side must in the nature of things produce crimes upon the other: the country must bleed, and good men fall. He had almost determined to retire, not only from public life, but from a land still destined to sorrow and oppression He put before me the dangers I was threatened with, and asked if I would accompany him. I told him that I was now sworn and pledged, and must stay and take my chance. He then asked me how much I thought one of his unostentatious habits could live for in France so as not to be positively excluded from good company. I told him I thought a colonel's half pay might do; and if he would brush his own coat, and turn his cravat the second day, have the Court calender by heart, and talk of his noble friends and relations, he might come near the fag end of the nobility. I had heard of one traveller that by merely putting out his tongue, provided for his whole army; and though my gossip's tongue did not afford so great a cavity as Garagantua's, yet I thought it would as good a passport to society, and might provide for one such little body: that if he could produce his passport now I would countersign it, and then would recommend it to him to go to sleep, that he might be ready for his journey in the morning, and in the mean time leave me to my rest. He took this in good part, made a flourish with his tongue to show he understood me, and went off without more words, but sending me back a lookof the Irish school of eloquence which the wit of man is not equal to translate, and which I would advise no man to imitate. The next morning he thanked me for having made him laugh, and promised as much for me, when it was my turn of the blue devils. But he had not relinquished his project, and I think if I had accompanied, or even encouraged him he would have put it in execution.

" Let no man then believe that John Philpot Curran lay upon roses when his country writhed on the bed of torture. Of all the victims of those disastrous times few paid more dearly for their country's love than he. He was at one time so ran down, that it required courage to be seen walking by his side. His domestic grief was made the prey of his enemies, and those who laughed at decorum and the decencies of life became sanctified in their upbraidings of him. I was reproached for letting my child still bear the name by which he was baptised. But least it should be said that he must by some singular misdeeds have deserved this contumely, I must remind the reader that Grattan was no less vituperated. He too was loaded with obloquy by those whose crimes he had arraigned, and not merely vituperated as Curran was, but disfranchised by the corporation of the city he so often represented; and his portrait which hung in the University as a trophy, placed through vulgar derision in the privy.

" The last act of Curran's which, I shall notice, is that which does him the most honour. The fate of Theobald Wolfe Tone is set down in history and need not be repeated here, further than the generous conduct of Curran connects their names and makes it fitting that they should be recorded together in one page. Tone, when brought before his judges to answer personally for his treason, scorned to equivocate with the truth, or to quibble in a cause in which his life and honour were alike at stake. He at once admitted the charges in their full extent. He stooped to ask one favour, and but one. He had served in the French army as a chief of Brigade and wore his uniform. He was now before a Court Martial by whom he was to be sentenced; and he asked no more than was consistent with their duty, and what was granted to the French emigrants standing before their judges just as he did before his court—to die a soldier's death. The court, struck with the dignity of his address, remained sometime in silence, and then promised that his request, together with his sentence, should be laid before the Lord Lieutenant.

" At this trying moment he stood alone without other resource than in the courage of his own manly heart. The friends that would have comforted him were buried in dungeons or in graves. There were some who in his happier days had followed him, and courted him, and quickened in the sunshine of his wit and social mirth, that now turned away their countenances and shut their frozen hearts, and either left him or led him to his fate. But in this cheerless and desolate position, he had a friend and advocate where he could least have looked for it; that friend, that generous advocate was Curran.

" That this may appear in its true light, it should be known that though both Tone and Curran loved their country, yet their political views were altogether different. Tone from his early days, as he said before his court martial, considered the connexion with England as the scourge of the Irish nation. Curran professed whig principles, and thought, that with a reform

in the parliament, all the good attainable might be achieved. His principles had been the subject of Tone's strong animadversions and keenest raillery: but all offence was hushed, all political hostility was merged in sympathy for the heroic sufferer. I should mention one of Tone's former friends whom Curran rallied to him, the time may come when he or his descendants may derive more honour from the fact than the betrayers of their country from ill earned titles. It was Mr. Peter Burrows, a distinguished member of the Irish bar. They consulted and found as they hoped a means to save him, not merely from the mode of death he deprecated, but from death itself which he had fondly courted.

"At this time I was a prisoner on parole, having embarked in pursuance of my contract with the government for Portugal; but having been blown back several times into the same harbour Curran called daily to inquire how I fared, or in my absence to console my family. He spoke of Tone with the same interest as though they had been inseparable friends, and devoted himself with more zeal than though he had received the most lavish fee, and with a sincerity that marked a noble nature.

"The court that tried and sentenced Tone was composed of seven military officers convened in the barrack of Dublin, and sat upon his trial at the same time that the Court of King's Bench was sitting, during Michælmas Term, in the year 1798. He was not amenable to a court martial, not belonging to the army of the King; and the court martial had no right to try him for high treason, sitting the King s Bench. Curran moved for and obtained a *habeas corpus* to bring him up before the court. It was immediately served upon the provost marshal (Major Sandys.) This was the keeper of a torture house, whose name is but too notorious in the annals of the times. He returned for answer that he would obey no orders but those of the Commander in Chief of the garrison. The court directed the sheriff to take him into custody and bring him before them: he was not to be found, but Tone was found withhis neck deeply wounded and weltering in his blood.

"It was said that on the preceding evening (Sunday) he had been *officially* informed that his sentence was confirmed and his request denied, and had therefore done this execution on himself; some said with a razor, some with a pane of glass because he had no razor. Of this I can know nothing. It was said that he spoke afterwards; I never heard of any friend that heard him speak after this wound. It was however stated that he observed he was a bad anatomist, in having missed his end.

"However this might be it was but of a piece with all the rest of Ireland's fatal story. For never did fear or necessity extort from her oppressive rulers an act that looked like grace, or policy dictate a transient show of lenity, but some demoniac spirit interposed, and shaped it into treachery and cruelty. It was so of old, it was so with Byrne, it was so with Bond, it was so with Orr, it was so at the massacre of the Curragh of Kildare, it proved so too with Tone.

"I will not say that he was murdered—I would not slander by saying what I do not know, not even a murderer by trade. That he chose the manner of his own death was rendered plausible by many circumstances. His sentence was not warranted under the circumstances of the case by any law civil or military. The mode of punishment then, was only intended to disgrace him and the uniform he wore; or to expose his aged parents to a repetition of the insults and exultations of the government rabble, his trial having followed close upon the execution of a brother, taken like him in arms. He might perhaps have feared the loss of lives in some vain attempt to rescue him. Nor could this act be called a suicide in the criminal sense that christains view it, but rather resembled the expedient of the soldier who when about to be tortured by savages, disappointed their ferocity by giving them his head. The end was that he lingered for a week and then died as he lived, great of heart and mind.

"That Curran must have succeeded in rescuing him from the hands of the military tribunal and its sentence, is most evident; and considering the circumstances of the times and the chances and changes that fall out in periods of desultory policy, when vengeance, fear, or personal rivalry, and other disavowed or unseen motives take the reigns in turns, it was not improbable that Tone's life might have been saved, even in spite of his determined purpose to accept no favour. The civil war was ended; the government had treated with the directors of the union, and the men who formed the alliance with the French. Lord Cornwallis had openly censured the crimes and cruelties of the Orange faction, and professed to act upon a system of moderation and amnesty. Even Napper Tandy, the most proscribed of all that bore arms or rebelled, had been exchanged for a British general and sent back to France in a British vessel to enjoy his rank and pay as a French general for the remainder of his life. He had been specially, and by name, excepted out of the amnesty act, and so great had been the avidity to have his person and his life that not only great rewards were set upon his head, but a British plenipotentiary violated the honour of the diplomacy and the rights of nations, taking upon himself the office of constable, and imposing upon the senate of a free and neutral city the office of gaolers. When it is considered that this man after lying so long in foreign dungeons and in irons, was brought to Ireland, tried and convicted, and every thing but executed, and afterwards given up on the simple requisition of Napoleon, how much reason was there not for Curran to hope that he might save the life of this brave man?

"Some have asked why Curran, if he felt the wrongs of Ireland as he described them, contented himself with talking, leaving to others the post of danger—how he, if his affections were so engaged, and his sentiments so decided, could flutter like the moth round the taper and come off unhurt; and also, how, after that ill omened union that extinguished in blood the constitution of his country, he could submit to kiss the hand of the oppressor,

and kneel or stoop for favour. I have already shewn that he was not unhurt, but assailed, and wounded even in the tenderest part; and if he was not consigned with other men of patriotic virtue to a dungeon or a hulk, it was most probably because his seat in parliament exempted him from the operation of the law that suspended the habeas corpus act.

And now a word touching the Edinburgh Reviewers before I take my leave. To dispute their talents would be to disparage my own judgment. Their writings have been long my chief literary recreation. Their luminous conceptions, and polished style, have given them a sway, which like all other power if abused may become dangerous and despotic; and when it verges towards that point it becomes a civic duty to sound the tocsin of alarm.

" I do not however profess to enter the lists as a champion against such formidable adversaries, I should rather submit, and even pay them *black mail* than wage an impotent war, and indeed the combat would be every way too unequal between one 'Whose sword hangs rusting on the wall' and so many knights of fame

> 'Ten of them were sheathed in steel,
> With belted Sword, and spur on heel;
> They quitted not their harness bright,
> Neither by day, nor yet by night;
> They lay down to rest,
> With corslet laced,
> Pillowed on buckler cold and hard;
> They carved at the meal
> With gloves of steel,
> And they drank the red wine through the helmet barred.'

" I shall therefore content myself with an appeal to the good sense of these gentlemen who are the fittest to correct their own errors, if any they have fallen into; but still in doing this, I shall use the like freedom by them as they do by others.

" I think then that their strictures upon some passages of this biography have been too fastidious, or, to borrow a sprightlier phrase of their own, 'too smart and snappish.'

" I think they have not viewd the story of the birth, and birth place of Curran's eloquence, of poor Apjohn and Duhigg, and the victory over the devil of temple bar, with their accustomed candour or discrimination. Had they known more of the men and manners they were censuring, they would never have supposed that this story was taken down by the author from his father's lips: indeed they would smile at their own innocent mistake.

" They say it is not the very best style of wit or talk that they have met with. But who has said it was? Its beauty, if it has any, is that it is entirely without such pretension, and is related simply as a part of the history of John Philpot Curran. The observation, or question, of his friend was, whether his gift was from art or nature, or whether his eloquence was born

with him. And the answer was, the history of its origin, shewing how much it was owing to accident and circumstances; and when Curran was thus chearfully complying with the desire of his friend, he was too unaffected, and too natural to think of making a display; and yet he gave it as it came, and as it was.

"As to the story of Mr. Boyse, I think that there also these accomplished critics have misconceived both the moral and the fact. Curran unexpectedly meets the friend who had first sown in his tender mind the seeds of that honour and prosperity which he then enjoyed. His heart throbs—he requests his benefactor to take possession of his house, till his return from the duties of the day. He gathers together a few friends of his youth, who like himself had attained to honour and distinction, to share his pleasure, and grace the entertainment of his guest. In the presence of these sympathising friends, he pours out the abundance of his gratitude, and the reviewers call this 'their debut before various learned sergeants and *primates* of the bar assembled on the occasion;' and they think no Englishman can avoid feeling that the speech of the clergyman is rude and indelicate, and that of his friend dreadfully too theatrical to be tolerated in private society. Did the good feelings of these gentlemen never teach them, that true and genuine affection, because it shuns all exhibition, will be fain at times to hide itself under the show of bluntness? And upon what ground do they assume that these friends, all sergeants as they might be, or *primates* as they are called, could not be at once, learned and humane. Does it follow that men cannot be learned, but at the expence of the best feelings of man's nature? and could they see nothing in this interesting scene but a *debut*, or exhibition?

"Indeed this censure is so forced, that it seems to have involved the learned commentators in some confusion of ideas, not very usual with them; for they say that all this might be very well between the *two friends*, but it was dreadfully too theatrical for a *private society*. 'In our fastidious country' they say, 'we really have no idea of a man talking pathetically in good company, and still less of good company sitting and crying to him. Nay, it is not very consistent,' they add, 'with our notions, that a gentleman should be most comical.' The expression of the author hardly warranted this observation. He was speaking of the variety of his father's conversation, which abounded in those magical transitions, from the most comic turn of thought to the deepest pathos; for ever bringing a tear into their eye before the smile 'was off the lip.' From these and other passages, these gentlemen are led to suspect, that the Irish standard of good conversation is radically different from the English. For my own part, having spent half my life in Ireland, and the other half in various other countries, and having seen some good company both in England and Scotland, I am much at a loss to find upon what these observations are founded; I have generally found least said about good company in good company; and those

to please the most who dealt the least in precepts of book conversation. I am now an American, and equally distant, with the exception of a very little arm of the sea from the one and the other island, and the way we unsophisticated Americans think upon these subjects is this ; we find that God has given to man two distinct characters, by which, though all the rest were lost or effaced, he might be defined and distinguished from the brute creation—'*the smile and the tear*.'—Here then are two schools of conversation—too rival *gymansia*, one on each side of the channel of Saint George. The disciples of the one neither admit of laughter or of tears : or if they do, it must be serio-comic mirth, of that nature, that cannot excite a tear.

" The other school, abandoning the whole transnatural regions, to their more refined and attic neighbours, assemble round the festive board, and as the wine flows, and the blood and spirits circulate, they make the course of their *humanities*. By laughter they prove, if not that they are *gentlemen*, at least that they are *men*. And if any unexpected touch of pathos brings the tear into their eye, and their philosophy which is that of nature, traces the cause through the effect. They acknowledge a power beyond themselves, and find the *literæ humaniores* written in their hearts, by him who made the laws essential to their moral and material frame : and they acknowledge him who made the tear to flow, to be the same who made the water issue from the rock.

" The world must judge then, which is the better school. If there be any law it must be international. For my part if this be the only, or radical difference between the rival standards, I do not wonder, that ' before the comeing of Lionel Duke of Clarence, the English in their language and apparrell, and all their manner of liveing, had submitted themselves entirely to the Irish.' And the compliment is perhaps better than was intended to the Irish school.

" As regards the danger of bad imitation, let these accomplished critics beware how their own kibes are galled, for though it be given to few to imitate the Scotch reviewers in their extensive knowledge, and great range of thought, or in the strength and clearness of their diction, yet every art and science has its jargon, and the cant of criticism about taste and good conversation is what the parrot may learn, and the cuckoo sing, to the great disturbance of whatever is genuine, natural, or manly.

" What kind of person would John Philpot Curran have been, if he had formed himself upon these straight lined rules. Would Homer have been worshipped as a God, or would he not, if they prevailed be kicked out of good company, as in that barbarous age when he first sung his ballads through the streets of the Greek cities ? Would not Shakespear be the next victim of this rage ? and Tully whose jocularity was his right arm, whose pleasure was to shew his wit among his friends, and who confesses that he loved his own jokes best, and that they were but ' *quicquid in buccam vene-*

rit.' Whose jests filled three whole volumes: how would he be censured for being so 'vastly comical?'

"There is perhaps one way to reconcile and draw advantage from their differences, by bringing about a friendly commerce.

"Let the North Britons consign to their Hibernian neighbours what they have to spare of the mental philosophy, and their systems *ideal* and *non-ideal*, and of their *semi-voluntary* operations of the intellect, and the Irish in return supply them with their surplus heart and soul, and let this be hereafter called the channel trade.

"But it is time to quit these trifles, and render justice to that dignity which belongs to these writers whenever they assume their proper attitude and station.

'These things,' they say, speaking of Curran's wit, &c. 'are of little consequence, Mr. Curran was something better than a sayer of smart things. He was a lover of his country, and its fearless, its devoted, and indefatigable servant. To his energy and talents she was perhaps indebted for some mitigation of her sufferings in the days of her calamity, and to these the public has been at all events indebted in a great degree for the knowledge they have of her wrongs, and for the feeling which that knowledge has excited, of the necessity of granting them redress. It is in this character he most wished to be remembered, and in which he has most deserved it.'

"Such manly language, would alone, if atonement were due, for all the censures upon the wit, the style, or the manner of Curran, and Ireland owes to these authors this acknowledgment besides, that when the minions of despotism so long combined against her, perverted her cause, and sided with her tyrants, they still respected the country of 'feeling hearts and eloquent tongues.' And though they should not be converted to the Irish standard of wit or conversation, I trust that upon more acquaintance they will find reason to admit, and to assert, that virtues of a higher kind than either taste or genius lie buried in the graves of *Irish traitors*.

"But on this subject I shall trust myself no further. I have already detained the reader too long from better matter; I have spoken more of myself than perhaps I ought, and more of Ireland than I had intended. Such fruitless recollections of her sufferings cannot change her destiny. If I can cherish any hope for her, it is in the steady march of the free and prosperous republic of which I am now a citizen. If integrity and union shall continue to direct her counsels; if native health and vigour still prove a match for the attacks which corrupt intrigue and foreign influence will never fail to make upon her freedom and renown. If honesty be cherished as it ought, and fraud discountenanced, and law administered with firm impartiality; If religion, the chastener of the public morals, be still pure and holy, untainted by hypocrisy or guile; if all these blessings shall continue to her; if the mild wisdom of her Franklin, and the farewell voice, and warning accents of her Washington, be ever in the ears and hearts of all her citizens; then

may the great example stronger than armed millions work to the end of 'UNIVERSAL EMANCIPATION.'

" Saturday, September 25.

" I send you the preface unfinished as it is that I may not be guilty of a breach of promise. I am sorry that it should go in so imperfect a state. It was written under the disadvantages of hourly interruption, of which you were a witness; and contains first thoughts and expressions of feeling which would require correction and retrenchment. I should in justice to myself observe, that I am no bigot, and very far from meaning, that all who were United Irishmen were virtuous, or all that were with the government vicious. I have no spirit of vengeance in my heart, and if forgiveness of my persecutors would contribute to my native country's welfare, I would forgive them all. I can add no more. The enclosed letters of reverend and honoured men and citizens will be my excuse. You will see that my only son is now no more. You will read in the expressions of private and public regret, what must be the affliction of my heart. I could not foresee when I retraced the image of past days, and revived the cheerful recollections of his dawn of life, that this paper should be moistened with a father's tears: that when I mentioned that name, that was often to give gladness to a father's and a mother's heart, the shaft was already sped that was to give those hearts a wound which time may soothe, but only death can cure,—Grief like what I now feel has but few words. Yours Sir,

respectfully and kindly.
WILLIAM SAMPSON."

MR. CREAGH.

The Publisher begs the indulgence of the public for not delivering the work at the time specified in the prospectus.—The delay grew out of the afflicting event above recited.

It affords the Publisher a melancholy pleasure to be able to make some atonement, if any were necessary, for this delay, by the insertion of the following articles, which reflect the greatest credit on the heads and hearts of their authors, and show that the genius of Curran was inherited by his godchild. The first is a letter of condolence from the Rev. Mr. Hull of New-Orleans. The Obituary notice appeared in the Louisiana Advertiser, of which paper the late Mr. Sampson was Editor.

New-York, October 21st. 1820.

NEW-ORLEANS, 26TH AUGUST, 1820.

DEAR SIR,

Ere this communication reaches you, the letter of a friend from this place, (Mr Spicer) will have advertised you of the alarming disease with which your son was attacked, and under which he was then labouring. It has been made the melancholy duty of him, who now addresses you; and whom you may probably recognize as having been introduced to your family four years ago, to inform you, that this beloved son has fallen a victim to the dreadful and sweeping scourge of our climate and city.

However well, Sir, some might think it would become my station, I presume not to offer, on this cruel bereavement, the ordinary, sickly, and mawkish sentiment of condolence often taught myself by sad suffering, and, in this dread visitation, feeling how much even a stranger has lost, I abstain from attempting to offer a consolation to his family, which I am persuaded, could not but be insulting and provocative. And how shall they, who want comfort themselves, attempt to impart it? We feel that your accomplished son was not *yours*—he was *ours*. He had incorporated himself with our feelings—He had identified himself with our narrowest and most extended interests. He was our delight in private, and promised to be our glory in publick life.

I consider it, my dear sir, a part of my heart rending task to assure you, that during your son's illness, every necessary attention was paid him—that he has sunk from our view in despite of every effort of tender assiduity, and the most prompt displays of professional skill, exhibited in airy and spacious rooms occupied by the lamented sufferer.

Nothing was wanting, which could be supposed to have a tendency to soothe his sufferings, or dispel their cause.

The interest he had excited in this community, summoned around him friends of all descriptions to administer to his wants —and if affection for him, and a just estimation of his worth could have rescued him, I should have been spared the pain of writing, and you the torture of reading this letter.

Permit me to add, that this distinguished victim retained his fine faculties in great perfection to the last—having the fullest confidence in his physicians, his spirits did not become depressed, till within a few hours of his dissolution, that awful symptom, the black vomit made its appearance. He then surrendered himself in a calm and manly manner to his approaching fate—confining himself to expressions of regret, that he could not have lived longer, that he might have been more useful; and to groans of poignant grief for the dreadful wound, which he was aware his premature departure must inflict upon his beloved parents, and sister.

I need scarcely subjoin that the body of your son was committed to the tomb under suitable demonstrations of social regard, accompanied by the prescribed and solemn rites of the church.

Afflicted relatives of John Philpot Curran Sampson, farewell! I have feebly, perhaps coarsely, discharged my mournful office; permit, now, the tears of a friend, and those of a sympathizing community to mingle with yours: may a firm assurance of this extended sympathy produce an alleviation of your woe! Above all, may you have recourse to God, and to the consolations of his grace? He alone can speak 'peace to your souls'—He alone can be the stay and support of your lives.

With every sentiment, becoming the occasion, I remain

your sincere friend,

James F. Hull.

William Sampson, Esq.

FROM THE LOUISIANA ADVERTISER, SEP. 7, 1820.

John Philpot Curran Sampson, Esq. Counsellor at Law, died in this City of the prevailing fever, after an illness of four days, on the 25th of August, in the twenty-sixth year of his age. He was a native of Ireland, and the only son of William Sampson, Esq. of New-York.

He came to reside in Louisiana at the close of the year 1818, and was admitted to the bar the 3d of March following, on the usual public examination before the Supreme Court. An advantageous professional connexion with M. Moreau Lislet, an eminent lawyer in full practice, was soon after-

wards obtained for him, by the writer of this notice. He did not however avail himself of this partnership—some urgent circumstances having at that time induced him to go to Europe. He returned here last winter, in the course of which, the Attorney General of the state, Mr. Robertson, appointed him his deputy. In that capacity he served for a few months, distinguishing himself in his prosecutions, not only by considerable legal knowledge, and a clear, fluent and nervous eloquence, but by that dignified moderation which in the performance of those painful duties, justice and humanity alike prescribe. He enjoyed a great advantage here in the practice of the law: he was one of the few persons in this, or perhaps any other country, who could speak both the English and French languages with great facility, and perfectly well.

About the month of April last a proposal was made to him to establish and become the Editor of a newspaper. The situation, he was given to understand, would be incompatible with that which he held under the Attorney General, and indeed with that of a practising lawyer. On this occasion he consulted the present writer, and some of his other friends, who earnestly endeavoured to dissuade him from accepting the offer. They represented to him that his office of public prosecutor would give him frequent opportunities of bringing his talent for public speaking into notice, and that diligent study and close attention to business would then ensure his complete professional success, which in due time would lead him to an independent fortune:—that this great requisite for the happiness as well as extensive usefulness in society, was an advantage which the newspaper establishment would most probably never afford, and for which the highest fame attainable by newspaper writing in Louisiana would be but a poor compensation.

He deliberated for a short time; but he felt an invincible desire to be engaged as a public writer on political affairs, and was fascinated by the persuasion of the commanding and beneficial influence which might be exercised over the community by means of a well-conducted daily paper. Before such incentives, all prudential considerations soon disappeared. Accordingly, resigning his office, and relinquishing his practice at the bar, he undertook to conduct the *Louisiana Advertiser*, as the new journal was to be named. The result of his experiment in this business has shown how well he understood his own talents. If he had lived, he might have almost realized his own ideas of the extraordinary moral and political power of the periodical press. His editorial labours, including several hundred columns of original composition, have been scarcely four months before the public, and they have procured for their author as great a share of reputation, among those for whom they were more particularly intended, as any writer perhaps has ever acquired by the same species of literature in so short a period. He became at once an object of general esteem and interest throughout the state, and his loss is already lamented as a public calamity.

On examining his writings with attention, we shall not be surprised at this feeling in his favour: for they display a zealous American patriotism, with an ardent attachment to the cause of freedom in all nations; and they prove the author to have possessed a great mass of general knowledge with an energy of genius sufficient to direct and mould it at will. The subjects he chose for discussion were always of the higher orders except when local politics stood in his way, and compelled him to stoop. At all other times, he investigated our admirable institutions, not in the interest of individuals or of parties, but in the proud spirit of republican philosophy. His speculations have about them all the fresh, delightful glow of early hope, and of enthusiasm unchecked by doubt, undamped by experience. His principles, in the abstract, were enlarged, liberal and generous, and were often pushed to their utmost extent, without attending to exceptions or modifications. He was from personal affection, as well as on the soundest maxims of a just and

liberal policy, a warm advocate of the rights of our fellow-citizens of the French race. In his disquisitions on the governments of Europe, we meet with many remarks which show that he had studied those systems profoundly. He could be gay, humorous, and satirical, or serious, indignant, and often sublime. But his appeals to the understanding and the passions were much finer than his pleasantries.

The style of his writing was as excellent as the matter. It was perspicuous, forcible, and flowing, sometimes to exuberance. In this respect a great improvement was manifest in his productions, as he proceeded. The latest are by far the best. Yet he can never be reproached with mere verbiage, or with having recourse to the artifices of mechanical rhetoricians. The fabric of his compensation had every where a solid foundation of thought for its support. Nor was he the imitator of any writer. Whenever he attempted to soar, it was upon his own wings; and this circumstance is a characteristic of genius, in one who, like him, was perfectly familiar with the works of Burke, Johnson, Gibbon, Grattan and Curran.

To justify these opinions, I would refer to his disquisitions on the improvement of our internal navigation; on the use of heraldic bearings and emblems in the United States; on the abuse of this country by foreign writers; on the pretended plans for dissolving the confederacy; on the resolution of our city council for erecting a triumphal monument to General Jackson. The noble article on that memorable act of public gratitude, was the last of its authors works. It was composed on the day before he was taken with the yellow fever. When the proof sheet was brought to him for correction, he was unable to read it. The outline of the character of the illustrious defender of New-Orleans, which is hastily sketched in the piece published under those unfavourable circumstances, might do honour to the pencil of an historian.

In forming our judgment of the author from these productions, we should never lose sight of the manner in which they were written. These articles—some of them long enough for pamphlets—were all composed on the spur of the occasion, with no time to copy, and but very little to correct them. They were written too by a very young man, of a northern constitution, at a season of the year when ordinary exertion of that kind is painful even to those accustomed, from their infancy, to our exhausting climate. The author himself regarded them only as the prolusions of his pen; or as he used to say, familiarly, the skirmishing of his advanced posts preparatory to the opening of his winter campaign.

Considering all those circumstances, it will not, we trust, be deemed an exaggeration of friendship to say, that if Mr. Sampson had lived to the ordinary age, and continued his literary pursuits, with diligence and care, he would have attained a high rank among the most distinguished writers of the English language.

He published, some years ago, a discourse delivered by him on the anniversary of our independence, at the law academy of Litchfield. This work, tho' superior to a great many others of the same kind, is so far excelled by his later productions, that we may pass it by.

In his person, Mr. Sampson was of the middle stature. His countenance denoted intellectual power. In society, he was distinguished by the gayety and urbanity of his manners; and he delighted in conversation, especially on literary and political topics. His habits were temperate, and his religious opinions were those of an enlightened christian. By his death this city has lost an ornament, our state one of its best citizens, and the cause of freedom a powerful advocate.

J. W.

LIFE

OF

THE RIGHT HONOURABLE

JOHN PHILPOT CURRAN.

CHAPTER I.

Mr. Curran's origin—His parents—Early education—Originally intended for the church—Enters Trinity College—His ardour for the classics—Letter to Mr. Stack—Anecdote of his mother—Her epitaph—While in college fixes on the bar—Anecdote connected with the change of profession—His character in college—Addicted to metaphysics—Anecdote on the subject—Verses to Apjohn.

John Philpot Curran was born on the 24th day of July, 1750, at Newmarket, an obscure town of the county of Cork, in Ireland. In several accounts that have been published of his origin and advancement, it has by a general consent been asserted that the one was very low and the other unassisted;—that he was the sole architect of his own fortune, and the sole collector of the materials which were to raise it: and lovers of the marvellous implicitly believed and repeated the assertion. Let not, however, the admirers of what is rare be offended at being told, that, no matter how much praise may be due to his personal merit (and the allowance unquestionably should not be scanty) a portion must still be given to the institutions of his country, and to those relatives and friends whose industry and protection placed him in a condition of sharing their advantages. It is of far more importance to the intellectual interests of men to diffuse a rational confidence in the effi-

cacy of instruction, than idly to excite their wonder, and perhaps their despair, by insinuating that there are persons who by nature are above it. It is not by hearing that the subject of the following pages was a heaven-taught unaided genius that others can be encouraged to emulate his mental excellencies, but by learning the real, and to him no less creditable fact, how he studied and struggled—what models he selected— what deficiencies he corrected—by what steps he ascended: to tell this is the duty of his biographer, and not to amaze his readers by uninstructive panegyric.

The lowness* of his origin has been much exaggerated. His father, James Curran, who has been represented as an unlettered peasant, was seneschal of a manor-court at Newmarket. It is confidently asserted, by those who knew him, that he possessed a mind and acquirements above his station; that he was familiar with the Greek and Roman classics, which he often cited in conversation; that he delighted in disputation, and excelled in it; and, among his other favourite subjects of discussion, it is still remembered, that, after his son's return from college, the old man was frequently to be found in ardent contention with him upon the metaphysical doctrines of Locke.

His mother, whose maiden name was Philpot, belonged to a family well known and respected, and of which the descendants continue in the class of gentry. She was a woman of a strong original understanding, and of admitted superiority, in the circles where she moved. In her latter years, the celebrity of her son rendered her an object of additional attention and scrutiny; and the favourers of the opinion that talent is hereditary, thought they could discover, in

* When Mr. Curran had risen to eminence, many tables of his pedigree were sent him, all of them varying, and the most of them, he conceived, too flattering to be authentic. Among his papers is the latest of these, tendered to him while he was Master of the Rolls, and made out by a resident of his native place. In the paternal line it ascends no higher than his grandfather, who is stated to have been "a north-countryman, of the county Derry, from which, having met with disappointments, he came and settled in the county Cork:" it adds, that "his only son, Mr. Curran's father, was educated at a school in Newmarket, then kept by the Rev. Mr. Dallis, and afterwards by the Rev. Mr. Morduck, by whom he was considered the best Greek and Latin scholar in their school." In the maternal line, it presents a long list of ancestors, among whom are judges, bishops, and noblemen; but Mr. Curran has marked his incredulity or his indifference by indorsing this paper with "Stemmata quid faciunt." Some other pedigrees derived his descent from the English family of Curwen in Cumberland.

the bursts of irregular eloquence that escaped her, the first visible gushings of the stream, which, expanding as it descended, at length attained a force and grandeur that incited the admirer to explore its source. This persuasion Mr. Curran himself always fondly cherished;—"The only inheritance," he used to say, "that I could boast of from my poor father, was the very scanty one of an unattractive face and person like his own; and if the world has ever attributed to me something more valuable than face or person, or than earthly wealth, it was that another and a dearer parent gave her child a portion from the treasure of her mind." He attributed much of his subsequent fortune to the early influence of such a mother; and to his latest hour would dwell with grateful recollection upon the wise counsel, upon the lessons of honourable ambition and of sober, masculine piety, which she enforced upon the minds of her children. She was not without her reward, she lived to see the dearest of them surpassing every presage, and accumulating public honours upon a name, which she, in her station, had adorned by her virtues.

John Philpot, the eldest of their sons*, having given very early indications of an excellent capacity, the Rev. Nathaniel Boyse, the resident clergyman at Newmarket, pleased with the boy, and moved by regard for his parents, received him into his house, and by his own personal tuition initiated him in the rudiments of classical learning. This, his first acquired friend and instructor, had also the satisfaction of seeing all his care repaid by the rapidity with which its object ascended to distinction, and still more by the unceasing gratitude with which he ever after remembered the patron of his childhood. Many of this gentleman's letters to him, written at a subsequent period, remain; and it is not unpleasing to observe in them the striking revolution that a few years had effected in the fortunes of his pupil. In some of them the little villager, whom he had adopted, is seen exalted into a senator, and is solicited by his former protector to procure the enactment of a statute that might relieve himself and all of the clergy from the vexations of the tythe-laws.

* Mr. Curran had three brothers and a sister, all of whom he survived.

The rapid progress that he made under the instructions of Mr. Boyse, and the fond predictions of his parents, determined them to give their son, what has been always a prevailing object of parental ambition in Ireland, a learned education. It was also their wish, which he did not oppose at the time, that he should eventually enter the church. With this view he was soon transferred to the free-school of Middleton, upon which occasion his generous friend insisted upon resigning a particular ecclesiastical emolument (in value 10*l.* a year) for the purpose of partly defraying the expenses of his young favourite's studies. He remained at this school until he had attained the preparatory knowledge of the Greek and Latin languages, which should capacitate him to become a student of Trinity College, Dublin. It may not be unworthy of remark, that the same seminary had a few years before sent up to the capital the late Lord Avonmore, then commencing *his* career in circumstances and with a success so resembling those of his future friend.

The early history of eminent persons so generally contains some presaging tokens of the fortune that awaits them, that something of the kind may be expected here, yet Mr. Curran's childhood, if tradition can be credited, was not marked by much prophetic originality. At the first little school in the town of Newmarket to which he resorted, previous to his reception into Mr. Boyse's family, he used to say that he was noted for his simplicity, and was incessantly selected as the dupe and butt of his play-fellows. This, however, it would appear that he soon laid aside, for a puppet-show having arrived in Newmarket, and Punch's prompter being taken suddenly ill, he, then a very little boy, volunteered to perform the sick man's duty, and seizing the opportunity, mercilessly satirised the reigning vices of the neighbours. This is almost the only exploit of his childhood that has been related.

He entered Trinity College as a sizer in 1769, being then 19 years old, an age at which the students of the present day have for the most part nearly completed their college course. Here he studied the classical writings of antiquity with great ardour and with eminent success. Nor did his enthusiastic admiration of them ever after subside. Amidst all the distractions of business and ambition, he was all his life returning with fresh delight to their

perusal; and in the last journey that he ever took, Horace and Virgil were his travelling companions. He obtained a scholarship, and that his general scholastic attainments were not inconsiderable, may be inferred from his having commenced a course of reading for a fellowship; but deterred by the labour, or diverted by accident, he soon gave up the project.

When we reflect upon the lustre of his future career, it becomes a matter of natural curiosity to inquire how far his mind now began to indicate those qualities, by which it was to be subsequently so distinguished; and upon this interesting subject there happen to be preserved some documents, principally a portion of his early correspondence and his first poetical attempts, from which a few occasional extracts shall be offered, for the purpose of giving some idea of the writer's juvenile habits and capacity. Whatever may be considered to be their intrinsic merit, several of them were at least written with considerable care, and may therefore be introduced as no unfair specimens of the progress of his intellectual strength. To the student of eloquence their defects will not be without instruction, if they inspire him with a reliance upon that labour and cultivation, which alone conduct to excellence.

One of the most intimate friends of Mr. Curran's youth and of his riper years was the late Rev. Richard Stack, his cotemporary at Trinity College, and since a fellow of that university. The following is a formal letter of consolation to that gentleman upon the death of a brother. The writer had just completed his 20th year, and appears to have been so pleased with his performance, that no less than three transcripts of it remain in his own handwriting.

"*Dublin, August* 20, 1770.

"DEAR DICK,

"I am sorry to find by your letter (which I have just now received,) that you judge my silence for some time past with so much more severity than it deserves. Can my friend suspect me of being unconcerned at his sorrows? I would have wrote to you on hearing from Vincent of this late misfortune, but that I was unwilling to press a subject upon your thoughts which you should take every means of avoiding. To offer consolation to a man of sense,

upon the first stroke of affliction, is perhaps one of the most cruel offices that friendship can be betrayed into. All the fine things that can be addressed to the fancy will have but small effect in removing a distemper fixed in the heart. Time and reflection only can cure that; and happy is it for us that in this chequered scene, where every thing feels perpetual decay, and seems created only for dissolution, our sorrows cannot boast of exemption from the common fate. Time, though he sometimes tears up our happiness by the roots, yet to make amends for that, kindly holds out a remedy for our afflictions; and though he violently breaks our dearest connexions, yet he is continually teaching us to be prepared for the blow. 'Tis true, nature on these occasions will weep, but, my dear Dick, reason and reflection should wipe away these tears. A few years may see us numbered with those whom we now regret, or will give us cause to congratulate those whose happy lot it was, by an early retreat from this scene of misery and disappointment, to escape those troubles which their survivors are reserved to suffer. 'Tis true, the inattention of youth will leave the great account more unsettled than might be wished; but at this age we have every thing to plead for that defect—the violence of passions, want of reason to moderate them. Faults no doubt we have, but they are the faults of youth, of inexperience; not a course of wickedness riveted by habit, and aggravated by obdurate perseverance, which (heaven help us) in a length of years they may become; but, above all, that Being who is pleased to call us so suddenly from hence, has mercy and compassion to make allowance for these involuntary omissions. But I find I have fallen unawares upon a theme which I had no intention to pursue so far, as I was persuaded your own good sense would suggest much stronger reasons for your consolation than I could. J. P. C."

At the date of this letter, the writer, if he looked forward to fame, expected to find it in the pulpit; but this, and a short religious discourse*, are all that remain of his early compositions, which, from the style, would appear to be written with a view to his first destination. Mr. Stack, however, entertained so very high an opinion

* Vide Appendix.

of his talents for the solemn eloquence of the church, that being appointed a few years after (1775) to preach before the judges of assize at Cork, and being anxious that his matter should be worthy of his auditors, he intreated of his young friend, who was then upon the spot, and going his first circuit, to compose a sermon for the occasion. Mr. Curran complied; and his production excited such general admiration, that his mother, in answer to the congratulations of the neighbourhood upon so flattering a proof of her son's abilities, could not avoid tempering her maternal exultation with christian regret, and exclaiming—"Oh, yes, it was very fine; but it breaks my heart to think what a noble preacher was lost to the church when John disappointed us all, and insisted on becoming a lawyer." All his subsequent success and celebrity at the bar could never completely reconcile her to the change; and in her latter years, when her friends, to gratify and console her, used to remind her that she had lived to see her favorite child one of the judges of the land, she would still reply—"Don't speak to me of *judges*—John was fit for any thing; and had he but followed our advice it might hereafter be written upon my tomb, that I had died the mother of a bishop."

This excellent and pious woman died about the year 1783, at the advanced age of eighty. It is not written upon her tomb that she died the mother of a bishop or of a judge; but there is to be seen upon it an attestation to her worth from the son who was her pride, which, as long as virtue and filial gratitude are preferred to the glare of worldly dignities, will be considered as an epitaph no less honourable both to the parent and the child.*

It was during the second year of his college studies that he fixed on the profession of the law. In his original intention of taking

* Her remains lie in the churchyard of Newmarket; over them is the following epitaph written by Mr. Curran:

Here lies the body of
Sarah Curran.
She was marked by many years,
Many talents,
Many virtues,
Few failings,
No crime.
This frail memorial was placed here by a
Son
Whom she loved.

orders he had been influenced by the wishes of his friends, and by the promise of a small living in the gift of a distant relative, and probably still more strongly by a habitual preference for the calling to which his early patron belonged; but his ambition soon overruled all these motives, and he selected the bar as more suited to his temperament and talents. According to his own account it was the following incident that suggested the first idea of a change in his destination.

He had committed some breach of the college regulations, for which he was sentenced by the censor, Dr. Patrick Duigenan, either to pay a fine of five shillings, or translate into Latin a number of the Spectator. He found it more convenient to accept the latter alternative; but on the appointed day the exercise was not ready, and some unsatisfactory excuse was assigned. Against the second offence a heavier penalty was denounced—he was condemned to pronounce a Latin oration *in laudem decori* from the pulpit in the college chapel. He no longer thought of evading his sentence, and accordingly prepared the panegyric; but when he came to recite it, he had not proceeded far before it was found to contain a mock model of ideal perfection, which the doctor instantly recognised to be a glaring satire upon himself. As soon therefore as the young orator had concluded, and descended from his station, he was summoned before the provost and fellows to account for his behaviour. Doctor Duigenan was not very popular, and the provost was secretly not displeased at any circumstance that could mortify him. He therefore merely went through the form of calling upon the offender for an explanation, and listening with indulgence to the ingenuity with which he attempted to soften down the libel, dismissed him with a slight reproof. When Mr. Curran returned among his companions, they surrounded him to hear the particulars of his acquittal. He reported to them all that he had said, "and all that he had not said but that he might have said;" and impressed them with so high an idea of his legal dexterity, that they declared, by common acclamation, that the bar and the bar alone was the proper profession for one who possessed the talents of which he had that day given such a striking proof. He accepted the omen, and never after repented of his decision.

In college he distinguished himself by his social powers. He had such a fund of high spirits and of popular anecdote; his ordinary conversation was so full of "wit, and fun, and fire," that in the convivial meetings of his fellow-students he was never omitted. His general reputation among them was that of being very clever and very wild. He often joined in those schemes of extravagant frolic so prevalent in that university, and after one of the nocturnal broils to which they usually led, was left wounded and insensible from loss of blood to pass the remainder of the night on the pavement of Dublin.

He was at this time supported partly from the funds appropriated to the sizers, and partly by scanty remittances from Newmarket. But he was frequently without a shilling; for he was incorrigibly improvident, and would often squander, in entertaining his companions, what should have been meted out to answer the demands of the coming quarter. Yet, whatever his privations were, he bore them with singular good humour, and when he had no longer money to treat his friends, he never failed to divert them with ludicrous representations of his distresses and expedients.

One of his sayings while he was in college has been preserved, and is a favourable instance of the felicitous use that he made of his classical knowledge in the production of comical effect. A fellow-student in reciting a Latin theme assigned a false quantity to the syllable *mi* in the word *nimirum*. A buzz of disapprobation succeeded, Mr. Curran, to relieve his friend's confusion, observed, "that it was by no means surprising that an Irish student should be ignorant of what was known by only one man in Rome, according to the following testimony of Horace,

"Septimius, Claudi, nimirum intelligit unus."

He was at this early period remarkable for his disposition to subtle disputation and metaphysical inquiries, connected with which a circumstance may be mentioned that strikingly illustrates the speculative propensities of his young and ardent mind. A frequent topic of conversation with one of his companions was the investigation of the nature of death and eternity, and the immortality of the soul; but finding that the farther they followed the bewildering light

of reason, the more they were "in wandering mazes lost," they came to the romantic agreement, that whoever of them might first receive the summons to another state, should, if permitted, for once revisit the survivor, and relieve his doubts by revealing, whatever could be revealed to him, of the eternal secret. A very few years after, the summons came to Mr. Curran's friend, who, finding his end approach, caused a letter to be addressed to his former fellow-student, apprising him of the impending event, and of his intention to perform his promise (if it should be allowed) on a particular night. This letter did not reach its destination till after the expiration of the appointed hour; but it was the first, and the only intimation, that arrived of the writer's decease.

Something of the same turn of mind may be observed in a little poem that Mr. Curran wrote the year before he left Trinity college. One of his cotemporaries there, was a young gentleman named Apjohn, with whom he became intimately connected by a community of taste and pursuits, and who claims a passing mention as a friend from whose example and encouragement he derived the most important advantages at this trying period of his career, when hope and ardour were the most precious benefits that a friend could bestow.

During a temporary absence of Apjohn from college, a report reached his companions that he had died suddenly at his native place, Killaloe. It was soon discovered to have been unfounded, upon which occasion, while the others congratulated him in prose, his more ambitious friend addressed him in the following verses.

TO W. APJOHN.

PEACE! whining slut, dismiss those sighs,
Those epitaphs and elegies;
And throwing off those weeds of sorrow,
Go laughing bid my friend good morrow!
Go bid him welcome here again,
From Charon's bark and Pluto's reign!

The doleful tale around was spread;
"Hast heard the news? Poor Apjohn's dead!"—

" Impossible!"—" Indeed it's true—
He's dead—and so is Casey too—
In Limerick this, and that at Killaloe.
As St. Paul says, ' we all must die !'
" I'm sorry for 't."—" Faith so 'm I—
Extremely so—But tell me, pray,
If you were on the ice to-day ?
There was great skating there, they say—"
" I couldn't go for want of shoes—
In truth, I'm sorry for the news—
And yet I knew, and always said,
When he had got into his head
That strange abstemious resolution,
'Twould quite destroy his constitution."
Thus careless, tearless sorrow spoke,
And heaved the sigh, or told the joke,
Yet, must I own, there were a few
Who gave your memory its due ;
And while they dropt a friendly tear
Said things that——but you must n't hear.
And now, methought, a wandering ghost,
You whizz'd along the Stygian coast ;
And if, perchance, you gain'd the wherry,
And tugg'd an oar across the ferry,
That, sitting on the farther shore,
You watch'd each boatful wafted o'er,
While with impatience you attend
Th' arrival of your quondam friend ;
To tell his wonder where you've been,
And what surprising things you've seen ;
And, from experience wise, relate
The various politics of fate ;
And show where hoary sages stray,
And where they chance to keep their way ;
Then laugh to think, how light as air,
Our blind dogmatic guesses were ;
When, fancy throned and placed on high,
We sat in judgment o'er the sky.
There envy too began to rise,
To think that you were grown so wise ;
That bursting from this shell of clay,
You now enjoy'd eternal day ;
While I was left perplex'd and blind,
In anxious ignorance behind ;

Doom'd this insipid part to play
In life's dull farce another day,
That, bent with sorrows and with age,
I late might totter off the stage:
But yet my Muse, I cried, will pay
The tribute of a weeping lay:
And though the flowers strewn o'er his tomb
May boast, perhaps, a longer bloom,
The short-liv'd verse he'll still receive,
Since that is all a Muse can give.
The Muse, contented, took her place—
I solemnly composed my face,
And took the pen, prepared to write
What she sat ready to indite,
When Rumour, lo! with deaf'ning sound,
More gladsome tidings blows around,
And bids her thousand tongues to tell,
That Apjohn is alive and well!
And louder now the torrent grows,
Gathering new murmurs as it flows,
When the poor Muse, in sad affright,
Swift to Parnassus wings her flight;
But promised, ere away she fled,
That when you should indeed be dead,
She'd call again, and write a verse,
To please your friend, and grace your hearse;
Unless that I myself ere then
Should grow fatigued, and quit the scene.
And yet how short a time can live
Those honours that the Muses give—
Soon fades the monument away,
And sculptured marbles soon decay;
And every title, now defaced,
Mix with the dust which once they graced:
But if we wish a deathless name,
Let virtue hand us down to fame.
Our honours then may time defy,
Since we will have, whene'er we die,
For epitaph—a life well spent,
And mankind for a monument.
What matter then to you or me,
Though none upon our grave should see
A. W. A. or J. P. C.

William Apjohn is a name of which the world has heard nothing. He died prematurely, and "without his fame;" but had his days been lengthened, he would probably have acted a distinguished part in the history of his country. Like his friend, he had chosen the bar as the most honourable road to fortune and celebrity, and had already given a promise of such talents for public life, that his success was looked to as undoubted. Mr. Curran never spoke of his capacity but in terms of the most respectful admiration. "Apjohn's mind," he used to say, "was, beyond exception, the most accomplished that I ever met: his abilities and attainments were so many and so rare, that if they could have been distributed among a dozen ordinary persons, the share of each would have promoted him to the rank of a man of talents."

CHAPTER II.

Mr. Curran leaves College—Enters the Middle Temple—Letter to Mr. Weston—Letter to Mr. Keller—His first attempts in Oratory fail—His own account of the failure, and of his first success—A regular attendant at Debating Clubs—Anecdotes—His Poem on Friendship—Dr. Creagh's character of him—Mr. Hudson's predictions and friendship—His early manners and habits—Subject to constitutional melancholy—Letters from London—His society in London—Anecdote of his interview with Macklin—His early application and attainments—Favourite authors—Early attachment to the Irish peasantry—His marriage—Remarks upon English law.

Mr. Curran completed his college studies in the early part of the year 1773, having qualified himself to take a master's degree, and passed over to London, where he became a student of law in the Society of the Middle Temple. During his residence in England he wrote regularly, and at considerable length, to his friends in Ireland. A collection of these letters has been preserved, and as several of them contain a more striking picture of his circumstances, and of many traits of individual character, than any description by another could convey, he shall in this stage of his life be occasionally made his own biographer.

The following was written immediately after his arrival in the British capital. The gentleman to whom it is addressed was a resident of Newmarket, and one of the most attached of Mr. Curran's early friends.

"London, 31 Chandos-street, July 10, 1773.

"THE REV. HENRY WESTON,

NEWMARKET, CO. CORK.

"I would have taken a last farewell of my dear Harry from Dublin, if I had not written so shortly before I left it; and, indeed, I was not sorry for being exempt from a task for which a thousand causes conspired to make me at that juncture unqualified. It was not without regret that I could leave a country, which my birth, education, and connexions had rendered dear to me, and venture

alone, almost a child of fortune, into a land of strangers. In such moments of despondence, when fancy plays the self-tormentor, she commonly acquits herself to a miracle, and will not fail to collect in a single group the most hideous forms of anticipated misfortune. I considered myself besides as resigning for ever the little indulgences that youth and inexperience may claim for their errors, and passing to a period of life in which the best can scarce escape the rigid severity of censure; nor could the little trivial vanity of taking the reins of my own conduct alleviate the pain of so dear-bought a transition from dependence to liberty. Full of these reflections as I passed the gate, I could not but turn and take a last lingering look of poor Alma-mater; it was the scene of many a boyish folly, and of many a happy hour. I should have felt more confusion at part of the retrospect, had I not been relieved by a recollection of the valuable friendship I had formed there. Though I am far from thinking such a circumstance can justify a passed misconduct, yet I cannot call that time totally a blank, in which one has acquired the greatest blessing of humanity. It was with a melancholy kind of exultation I counted over the number of those I loved there, while my heart gave a sigh to each name in the catalogue; nay, even the *fellows*, whom I never loved, I forgave at that moment; the parting tear blotted out every injury, and I gave them as hearty a benediction as if they had deserved it: as for my general acquaintance (for I could not but go the round,) I packed their respective little sighs into one great sigh, as I turned round on my heel. My old friend and handmaid Betty, perceiving me in motion, got her hip under the *strong-box* with my seven shirts, which she had rested against the rails during the delay, and screwed up her face into a most rueful caricature, that might provoke a laugh at another time; while her young son Denny, grasping his waistband in one hand, and a basket of sea provision in the other, took the lead in the procession, and so we journeyed on to George's Quay, where the ship was just ready to sail. When I entered, I found my fellow-passengers seated round a large table in the cabin; we were fourteen in number. A young highland lord had taken the head of the table and the conversation, and with a modesty peculiar to himself, gave a history of his travels, and his

intimate connexions with the princes of the empire. An old debauched officer was complaining of the gout, while a woman, who sat next to him, (good heaven! what a tongue,) gave a long detail of what her father suffered from that disorder. To do them all justice, they exerted themselves most zealously for the common entertainment. As for my part, I had nothing to say; nor if I had, was any one at leisure to listen to me; so I took possession of what the captain called a bed, wondering, with Partridge, 'how they could play so many different tunes at the same time without putting each other out.' I was expecting that the sea-sickness would soon give those restless mouths different employment, but in that I was disappointed; the sea was so calm that one only was sick during the passage, and it was not my good fortune that the lot should fall on that devil who never ceased chattering. There was no cure but patience; accordingly, I never stirred from my tabernacle (unless to visit my basket) till we arrived at Parkgate. Here, after the usual pillage at the customhouse, I laid my box down on the beach, seated myself upon it, and, casting my eyes westward over the Welsh mountains towards Ireland, I began to reflect on the impossibility of getting back without the precarious assistance of others. Poor Jack! thought I, thou wert never till now so far from home but thou mightest return on thine own legs. Here now must thou remain, for where here canst thou expect the assistance of a friend? Whimsical as the idea was, it had power to affect me; until, at length, I was awaked from this reverie by a figure which approached me with the utmost affability; methought his looks seemed to say, 'why is thy spirit troubled? He pressed me to go into his house, and to 'eat of his bread,' and to 'drink of his drink.' There was so much good-natured solicitude in the invitation, 'twas irresistible. I arose, therefore, and followed him, ashamed of my uncharitable despondence. Surely, thought I, 'there is still humanity left amongst us,' as I raised my eyes to the golden letters over his door, that offered entertainment and repose to the wearied traveller. Here I resolved to stay for the night, and agreed for a place in his coach next morning to Chester, but finding my loquacious fellow passenger had agreed for one in the same vehicle, I retracted my bargain, and agreed for my box only. I perceived, however, when

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I arose next morning, that my box was not sent, though the coach was gone. I was thinking how I should remedy this unlucky disappointment, when my friendly host told me that he could furnish me with a chaise! Confusion light upon him! what a stroke was this! It was not the few paltry shillings that vexed me, but to have my philanthropy, till that moment running cheerily through my veins, and to have the current turned back suddenly by the detection of his knavery! Verily, Yorick, even thy gentle spirit, so meekly accustomed to bear and forbear, would have been roused on such an occasion. I paid hastily for my entertainment, and shaking the dust from my feet at his gate, I marched with my box on my shoulder to a waggoner's at the other end of the town, where I entered it for London, and sallied forth toward Chester on foot. I was so nettled at being the dupe of my own credulity, that I was almost tempted to pass an excommunication on all mankind, and resolved never more to trust my own skill in physiognomy. Wrapt up in my speculations, I never perceived at what a rate I was striding away, till I found myself in the suburbs of Chester, quite out of breath, and completely covered with dust and dirt. From Chester I set out that evening in the stage: I slept about four hours next day at Coventry, and the following evening, at five o'clock, was in view of near a hundred and twenty spires, that are scattered from one side of the horizon to the other, and seem almost bewildered in the mist that perpetually covers this prodigious capital. 'Twould be impossible for description to give any idea of the various objects that fill a stranger, on his first arrival, with surprise and astonishment. The magnificence of the churches, hospitals, and other public buildings, which every where present themselves, would alone be ample subject of admiration to a spectator, though he were not distracted by the gaudy display of wealth and dissipation continually shifting before his eyes in the most extravagant forms of pride and ostentation, or by a hurry of business that might make you think this the source from which life and motion are conveyed to the world beside. There are many places here not unworthy of particular inspection, but as my illness prevented me from seeing them on my first arrival, I shall suspend my curiosity till some future time, as I am determined to apply to reading this vacation

with the utmost diligence, in order to attend the courts next winter with more advantage. If I should happen to visit Ireland next summer, I shall spend a week before I go in seeing the curiosities here (the king and queen, and the lions); and, if I continue in my present mood, you will see a strange alteration in your poor friend. That cursed fever brought me down so much, and my spirits are so reduced, that, faith, I don't remember to have laughed these six weeks. Indeed, I never thought solitude could lean so heavily on me as I find it does: I rise, most commonly, in the morning between five and six, and read as much as my eyes will permit me till dinner-time; I then go out and dine, and from that till bed-time I mope about between my lodgings and the Park. For heaven's sake send me some news or other (for, surely, Newmarket cannot be barren in such things) that will teach me once more to laugh. I never received a single line from any one since I came here! Tell me if you know any thing about Keller: I wrote twice to that gentleman without being favoured with any answer. You will give my best respects to Mrs. Aldworth and her family; to Doctor Creaghs; and don't forget my good friends Peter and Will Connel.

"Yours sincerely,

"J. P. C.

"P. S. I will cover this blank edge with intreating you to write closer than you commonly do when you sit down to answer this, and don't make me pay tenpence for a halfpenny-worth of white paper."

"In a letter of nearly the same date to another friend,* he says, "By the time you receive this I shall have relapsed into the same monastic life that I led before. I do not expect, however, that it will lean so heavily on me, as I am now tolerably recovered, and shall continue to read with unabated application; indeed, that is the only means of making solitude supportable; yet, it must be owned, a man of a speculative turn will find ample matter in that way without stirring from his window. It is here that every vice and folly climb to their meridian, and that mortality seems properly

* Jeremiah Keller, Esq. a member of the Irish bar.

to understand her business. If you cast your eyes on the thousand gilded chariots that are dancing the hayes in an eternal round of foppery, you would think the world assembled to play the fool in London, unless you believe the report of the passing-bells and hearses, which would seem to intimate that they all made a point of dying here. It is amazing, that even custom should make death a matter of so much unconcern as you will here find it. Even in the house where I lodge, there has been a being dead these two days. I did not hear a word of it till this evening, though he is divided from me only by a partition. They visit him once a day, and so lock him up till the next (for they seldom bury till the seventh day) and there he lies without the smallest attention paid to him, except a dirge each night on the Jew's-harp, which I shall not omit while he continues to be my neighbour."

It was during his attendance at the Temple that Mr. Curran made the first trial of his rhetorical powers. He frequented a debating society that was composed of his fellow-students. His first attempt was unsuccessful, and for the moment quite disheartened him. He had had from his boyhood a considerable precipitation and confusion of utterance, from which he was denominated by his school-fellows "stuttering Jack Curran." This defect he had laboured to remove, but the cure was not yet complete. From the agitation of a first effort he was unable to pronounce a syllable; and so little promise did there appear of his shining as a speaker, that his friend Apjohn said to him, "I have a high opinion of your capacity; confine yourself to the study of law, and you will to a certainty become an eminent chamber-counsel, but, depend upon it, nature never intended you for an orator." Fortunately for his fame, this advice was disregarded: he continued to attend the above and other debating clubs, at one of which, during a discussion, some personal and irritating expressions having been levelled at him, his indignation, and along with it his talent, was roused. Forgetting all his timidity and hesitation, he rose against his assailant, and, for the first time, revealed to his hearers and to himself that style of original and impetuous oratory, which he afterwards improved into such perfection, and which now bids fair to preserve his name. He used often to entertain his friends by detailing this event of his

mind's having "burst the shell." The following was the manner in which he once related it; for one of the great charms of his colloquial powers was the novelty that he could give to the same facts upon every repetition: he adorned a favourite anecdote, as a skilful musician would a favourite air, by an endless variety of unpremeditated *ad libitum* graces.

One day after dinner, an acquaintance, in speaking of his eloquence, happened to observe that it must have been born with him. "Indeed, my dear sir," replied Mr. Curran, "it was not; it was born three and twenty years and some months after me; and, if you are satisfied to listen to a dull historian, you shall have the history of its nativity.

"When I was at the Temple, a few of us formed a little debating club—poor Apjohn, and Duhigg,* and the rest of them! they have all disappeared from the stage; but my own busy hour will soon be fretted through, and then we may meet again behind the scenes. Poor fellows! they are now at rest; but I still can see them, and the glow of honest bustle on their looks, as they arranged their little plan of honourable association (or, as Pope would say, 'gave their little senate laws,') where all the great questions in ethics and politics (there were no gagging-bills in those days) were to be discussed and irrevocably settled. Upon the first night of our assembling, I attended, my foolish heart throbbing with the anticipated honour of being styled 'the learned member that opened the debate,' or 'the *very* eloquent gentleman who has just sat down.' All day the coming scene had been flitting before my fancy, and cajoling it; my ear already caught the glorious melody of 'hear him, hear him!' Already I was practising how to steal a cunning side-long glance at the tear of generous approbation bubbling in the eyes of my little auditory; never suspecting, alas! that a modern eye may have so little affinity with moisture that the finest gunpowder may be dried upon it. I stood up—the question was Catholic claims or the slave trade, I protest I now forget which, but the difference, you know, was never very obvious—my mind was stored with about a folio volume of matter, but I wanted a preface, and for

* The late B. T. Duhigg, Esq. of the Irish bar.

want of a preface the volume was never published. I stood up, trembling through every fibre; but remembering that in this I was but imitating Tully, I took courage, and had actually proceeded almost as far as 'Mr. Chairman,' when to my astonishment and terror, I perceived that every eye was riveted upon me. There were only six or seven present, and the little room could not have contained as many more; yet was it, to my panic-struck imagination, as if I were the central object in nature, and assembled millions were gazing upon me in breathless expectation. I became dismayed and dumb; my friends cried 'hear him!' but there was nothing to hear. My lips, indeed, went through the pantomime of articulation, but I was like the unfortunate fiddler at the fair, who upon coming to strike up the solo that was to ravish every ear, discovered that an enemy had maliciously soaped his bow; or rather like poor Punch as I once saw him, (and how many like him have I seen in our old house of commons! but it is dead, and let us not disturb its ashes) grimacing a soliloquy, of which his prompter behind had most indiscreetly neglected to administer the words. So you see, sir, it was not born with me. However, though my friends, even Apjohn, the most sanguine of them, despaired of me, the *cacoethes loquendi* was not to be subdued without a struggle. I was for the present silenced, but I still attended our meetings with the most laudable regularity, and even ventured to accompany the others to a more ambitious theatre, 'the Devils of Temple Bar;' where truly may I say, that many a time the Devil's own work was going forward. Here, warned by fatal experience that a man's powers may be overstrained, I at first confined myself to a simple 'ay or no,' and, by dint of practice and encouragement, brought my tongue to recite these magical elements of parliamentary eloquence with 'such sound emphasis and good discretion,' that in a fortnight's time I had completed my education for the Irish senate.

"Such was my state, the popular throb just beginning to revisit my heart, when a long expected remittance arrived from Newmarket; Apjohn dined with me that day, and when the leg of mutton, or rather the bone, was removed, we offered up the libation of an additional glass of punch for the health and length of days (and heaven heard the prayer) of the kind mother that had remembered

the necessities of her absent child. In the evening we repaired to 'the Devils.' One of them was upon his legs; a fellow of whom it was impossible to decide, whether he was most distinguished by the filth of his person or by the flippancy of his tongue; just such another as Harry Flood would have called 'the highly gifted gentleman with the dirty cravat and greasy pantaloons.'* I found this learned personage in the act of calumniating chronology by the most preposterous anachronisms, and (as I believe I shortly after told him) traducing the illustrious dead by affecting a confidential intercourse with them, as he would with some nobleman, *his very dear friend*, behind his back, who, if present, would indignantly repel the imputation of so insulting an intimacy. He descanted upon Demosthenius, the glory of the Roman forum; spoke of Tully as the famous cotemporary and rival of Cicero; and in the short space of one half hour, transported the straits of Marathon three several times to the plains of Thermopylæ. Thinking that I had a right to know something of these matters, I looked at him with surprise; and whether it was the money in my pocket, or my classical chivalry, or most probably the supplemental tumbler of punch, that gave my face a smirk of saucy confidence, when our eyes met there was something like wager of battle in mine; upon which the erudite gentleman instantly changed his invective against antiquity into an invective against me, and concluded by a few words of friendly counsel (*horresco referens*) to 'orator mum,' who he doubted not possessed wonderful talents for eloquence, although he would recommend him to shew it in future by some more popular method than his silence. I followed his advice, and I believe not entirely without effect; for when upon sitting down, I whispered my friend, that I hoped he did not think my dirty antagonist had come 'quite clean off?' 'On the contrary, my dear fellow,' said he, 'every one around me is declaring that it is the first time they ever saw him so well dressed.' So, sir, you see that to try the bird, the spur must touch his blood. Yet, after all, if it had not been for the in-

* Mr. Curran here alluded to the celebrated Mr. Flood's custom of distinguishing the speakers at the London debating societies by such ludicrous descriptions of their dress, as "the eloquent friend to reform in the threadbare coat," "the able supporter of the present ministry with the new pair of boots," &c.

spiration of the punch, I might have continued a mute to this hour; so for the honour of the art, let us have another glass."

The speech which Mr. Curran made upon this occasion was immediately followed by a more substantial reward than the applauses of his hearers; the debate was no sooner closed than the *president* of the society despatched his *secretary* to the eloquent stranger, to solicit the honour of his company to partake of a *cold collation;* which proved to consist of bread and cheese and porter; but the public motives of the invitation rendered it to the guest the most delicious supper that he had ever tasted.

From this time till his final departure from London, he was a regular attendant and speaker at debating clubs; an exercise which he always strongly recommended to every student of eloquence, and to which he attributed much of his own skill and facility in extemporaneous debate. He never adopted or approved of the practice of committing to memory intended speeches; but he was in the habit of assisting his mind with ample notes of the leading topics, and trusted to the occasion for expression.

The society that he latterly most frequented was the well-known Robin Hood. He also sometimes attended a meeting for the discussion of religious questions, which was held on Sunday evenings, at the Brown Bear in the Strand, and resorted to by persons of every persuasion, and by many who were "honorary members of all faiths." Whenever the claims of the Roman Catholics were the subject of debate, he uniformly supported them. From his zeal in their cause, and from his dress, (a brown surtout over black) he was supposed by strangers to be a young priest of that order, and was known in the club by the name of "the little Jesuit from St. Omers."*

* The same zeal for the emancipation of the Roman Catholics which distinguished him for the rest of his life, produced similar mistakes among strangers upon the subject of his religion. When he was at Paris in 1814, he accompanied some friends to see Cardinal Fesch's gallery of paintings. The Frenchman in attendance there was a good deal struck by Mr. Curran's observations, and upon the latter's retiring before the others, asked with some curiosity who he was. As soon as he heard his name, "Ah! (said he, with great surprise) je voyois bien qu'il avoit beaucoup d'esprit, mais, mon Dieu! je n'aurois jamais soupconne que ce petit monsieur fut *le grand Catholique Irlandois.*"

Among Mr. Curran's juvenile productions was a poem of some length, written whilst he was at the Temple; it is entitled, "On Friendship," and addressed to Mr. Weston of Newmarket. When we consider the character of Mr. Curran's oratory, to which an excess of fervor and imagination has been by some imputed as its imperfection, we should naturally expect to see those qualities predominating when he found himself engaged in subjects to which they so peculiarly belong; but this is not the case. From his youth to his old age he was fond of writing poetry, and produced a considerable quantity; but in little of it do we meet with that sustained ardour, with those fearless conceptions, and that diction teeming with imagery, which distinguish his other productions. When he occupied himself with poetry, he appears to have considered it rather as a recreation to soothe himself, than as a means of exciting others. With the exception of a very few instances, (which however prove his poetic capacity, had he anxiously cultivated it) his verses are in general placid, familiar, and unaspiring, seldom venturing beyond expressions of established form, and for the most part contented with those sentiments of obvious tenderness to which no mind of any sensibility is a stranger. The opening of the poem on Friendship is here inserted, for the sake of the concluding image, which the late Mr. Fox, (among others) particularly admired.

Here, on these banks, where many a bard has sung,
While Thames in listening silence flow'd along,
Where friendship's flame inspir'd the glowing verse,
To hail the triumph, or to mourn the hearse;
On the same spot where weeping Thomson paid
The last sad tribute to his Talbot's shade,
A humbler muse, by fond remembrance led,
Bewails the absent, where he mourn'd the dead.
Nor differ much the subjects of the strain,
Whether of death or distance we complain;
Whether we're sunder'd by the final scene,
Or envious seas disjoining roll between;
Absence, the dire effect, is still the same,
And death and distance differ but in name:
Yet sure they're different, if the peaceful grave
From haunting thoughts the low-laid tenant save,

While in this breathing death reflection lives,
And o'er the wreck of happiness survives.
Alas! my friend, were Providence inclined
(In unrelenting wrath to human kind)
To take back every blessing that she gave,
From the wide ruin, she would memory save,
Else would severest ills be soon o'erpast,
Or kind oblivion bury them at last:
But Memory, with more than Egypt's art,
Embalming every grief that wounds the heart,
Sits at the altar she hath rais'd to Wo,
And feeds the source whence tears for ever flow.

In the course of this poem allusions are made to the writer's future career in public life; and those who have not yet learned to sneer at the mention of political integrity, will be gratified to observe how completely, in the present instance, the visions of the poet were realized by the subsequent conduct of the man.

But in his country's cause, if patriot zeal
Excite him, ardent for the public weal,
With generous warmth to stem corruption's rage,
And prop the fall of an abandon'd age,
Bold in the senate he confronts the band
Of willing slaves that sell their native land;
And, when the mitred hireling would persuade
That chains for man by Heaven's high will were made,
Or hoary jurist, in perversion wise,
Would sap the laws, and on their ruin rise,
While the mute 'squire and star-enamour'd beau
Are base in all they can—an "ay" or "no!"
With equal scorn he views the venal train,
And sorded bribe that such a tribe can gain.

And a little farther on;

But if oppression lord it o'er the land,
And force alone can lawless force withstand,
Fearless he follows where his country calls,
And lives with freedom, or with glory falls;
He gives that shackle he disdains to wear,
For endless fame, nor thinks the purchase dear.

This may not be very good poetry, but it evinces, what is more honourable to the writer, and what was in those days of more value to Ireland than good poetry, an indignant sense of her condition, and an impatience to redress it. It will hereafter appear how far he fulfilled the engagements of his youth.

From the above and similar productions,* and from the indications of talent that his ordinary conversation afforded, great hopes were now entertained of him. According to all the accounts of those who knew him at this time, his colloquial powers were even then of a very high order. Having no hereditary fortune or powerful connexions on which to depend, and having embraced an ambitious and hazardous profession, where, without the reputation of superior ability, there was little prospect of success; he appears to have habitually exerted himself upon every occasion to substantiate his claims, and justify his choice. The following judgment was passed upon him at this period by his future father-in-law, Dr. Richard Creagh, of Newmarket, a scholar and a man of cultivated taste, whose prediction, in the present instance, has been so completely verified. After mentioning, in one of his letters, the future ornament of the Irish bar, as "a young man of this town, one Jack Curran," he proceeds, "take his character from me. He possesses a good understanding; is an excellent scholar; has some taste, and, for his years, I think, a tolerable judgment; has uncommon abilities; is a proficient in music; has received an university education; is now preparing for the bar, for which profession he possesses extraordinary talents, and will disappoint all his friends if he does not distinguish himself there. As far as I can observe, he seems to be extremely cheerful and good-natured, and is remarkably pleasant in conversation."†

* During the two years that preceded his admission to the bar, he wrote, besides the poem on Friendship, "Lines upon visiting the Cave of Pope," and Lines upon the poisoning a stream at Frenchay, where he had been driven by foul winds in one of his passages from England to Ireland,) which he composed for the purpose of expressing his gratitude to a family of that place, who had given him a very hospitable reception.

† Doctor Creagh was a physician, and a member of the very respectable family of that name in the county of Cork. Much of the earlier part of his life had been passed on the continent, where he had mixed in the society of the most celebrated men of talent; but he used often to declare, that, neither abroad nor at home, had he ever met so delightful a companion as

In a letter of about the same date, from one of Mr. Curran's earliest friends, Mr. Hudson,* we find similar expectations prevail; alluding to the melancholy that ran through a letter he had just received from the other, he says,—"Consider now and then, Jack, what you are destined for; and never, even in your distresses, draw consolation from so mean a thought, as that your abilities may one day render your circumstances easy or affluent; but that you may one day have it in your power to do justice to the wronged, to wipe the tear from the widow or orphan, will afford the satisfaction that is worthy of a man."

It would be injustice to suppress another passage. Having a little before chided his friend for neglecting to inform him of the state of his finances, Mr. Hudson goes on, "I think I shall be a man of no small fame to-morrow or next day, and though 'tis but the fame of a dentist, yet if that of an honest man is added to it, I shall not be unhappy. Write speedily to me, and if you are in want, think I shall be not satisfied with my fortunes—believe me I shall never think I make a better use of my possessions than when such a friend as Jack can assist me in their uses." The amiable and respectable writer of the above still lives, and if the union of the two characters, to which in his youth he aspired, could confer happiness, he has been completely happy.

Many other proofs might be added (were it necessary) to show that Mr. Curran was, even at this period, considered as much more than an ordinary man; that he had already obtained a very high degree of estimation in the opinions of every person of discernment

"young Jack Curran;" yet, the conversation of the latter was not, at this time, what it subsequently became. It was full of vivacity and of anecdotes, to which he could give an extraordinary degree of dramatic effect; but it had not, as at a later period, those incessant and magical transitions from the most comic trains of thought to the deepest pathos, which were for ever bringing a tear into the eye, before the smile was off the lip; nor that surprising control over all the mysteries of language, which he acquired by his subsequent habits of extemporaneous speaking.

Dr. Creagh was a determined Whig, and had, no doubt, an influence in confirming the political inclinations of his son-in-law. It was also from Dr. Creagh, who had spent several years in France, and was an excellent French scholar, that Mr. Curran derived much of his early taste for the language and literature of that country.

* Mr. Edward Hudson, for a long course of years the most eminent dentist in Ireland.

who knew him. To be regarded as an object of admiration and of hope by the immediate circle of his friends, is, indeed, no more than happens to every young man of any intellectual pretensions; but to Mr. Curran's honour it should not be overlooked, that the friends who entertained such sentiments towards him were, all of them, those whose zeal and approbation he had won for himself by his own character and talents; nor was a mere general respect for the latter the only feeling that united them with him—they all appear to have been animated by the most anxious and affectionate attachment to his person. Their letters to him abound with expressions of more than usual endearment, with offers of pecuniary supplies, and many other unequivocal demonstrations of the extreme value in which they held him. At this period of life he used to pass considerable intervals of time at his native village, where he always entered, with the most good natured vivacity, into all the little parties and interests of the place. He, whose lofty and independent spirit was a few years after to bring upon him the charge of "lecturing the privy council,"* was in his social intercourse so little fastidious or assuming, that he could find abundant amusement among the harmless wits and politicians of an obscure little town. Nor were these mere temporary feelings, adopted for convenience, and as evanescent as the occasions that excited them—all his impulses were intensely social, and, whether present or absent, his heart was still in the midst of the friends and companions that he loved. His letters from the Temple abound with proofs of these amiable propensities; in none of them is the Newmarket circle omitted; he dedicates a portion of every day to thinking of them, and of every letter to inquiries after their health and fortunes. This unpretending facility of manners, showing how little natural the alliance between superiority of intellect and austereness of demeanour, continued ever after prominent in his character; and from the event we may learn that such cheerful, conciliating, and sympathising habits are the surest road to lasting friendships. Of these, few persons ever enjoyed more—the greater number have gone where he has followed—still a few, and among them some of his earliest

* An expression of Lord Clare's.—The whole scene is given hereafter.

friends, survive; and it is no less honourable to their constancy than to his memory, that the same men, who, more than forty years ago, were cheering his efforts, and admitting him to their affections, are at this day, with unabated ardour, mourning his loss and cherishing his fame.

The despondency which Mr. Curran's generous correspondent has just been seen so anxious to alleviate was not merely casual. Notwithstanding the liveliness of his conversation, from which a stranger would have supposed that his spirits never knew depression, he was all his life subject to visitations of constitutional melancholy, which the most ordinary accidents excited and embittered; even at this early time it may be observed constantly breaking out in his communications to his friends. After having passed the long vacation of 1774 with his family in Ireland, he thus writes to one of them upon his return to London.

"Apjohn and I arrived in London about eight o'clock on Thursday. When I was set down, and threw myself into a box in the next coffee-house to me, I think I never felt so strangely in my life. The struggle it cost me to leave Ireland, and the pain of leaving it as I did, had been hurried into a sort of numbness by the exertion of such an effort, and a certain exclusion of thought, which is often the consequence of a strong agitation of mind: the hurry also of the journey might in some measure have contributed to sooth for a moment these uneasy sensations. But the exertion was now over, the hurry was past; the barriers between me and reflection now gave way, and left me to be overwhelmed in the torrent: all the difficulties, I had encountered, the happy moments I had lately passed, all now rushed in upon my mind, in melancholy succession, and engrossed the pang in their turn.

Revolving in his alter'd soul
The various turns of chance below,
And now and then a sigh he stole,
And tears began to flow.

"At length I roused myself from this mournful reverie, and after writing a few words to Newmarket, set out in search of some of my old acquaintance. I sought them sorrowing, but there was not even

one to be found; they had either changed their abodes, or were in the country. How trivial a vexation can wound a mind that is once depressed! Even this little disappointment, though it was of no consequence, though it could not surprise me, yet had the power to afflict me, at least to add to my other mortifications. I could not help being grieved at considering how much more important changes may happen even in a shorter time; how the dearest hopes and most favourite projects of the heart may flourish, and flatter us with gaudy expectations for a moment, and then, suddenly disappearing, leave us to lament over our wretchedness and our credulity. Pleased with the novelty of the word, we fasten eagerly on the bauble, till satiated with enjoyment, or disgusted with disappointment, we resign it with contempt. The world in general follows our example, and we are soon thrown aside, like baubles, in our turn. And yet, dreary as the prospect is, it is no small consolation to be attached to, and to be assured of the attachment of some worthy affectionate souls, where we may find a friendly refuge from the rigours of our destiny; to have even one congenial bosom on which the poor afflicted spirit may repose, which will feelingly participate our joys or our sorrows, and with equal readiness catch pleasure from our successes, or strive to alleviate the anguish of disappointment."

In another letter, written a few weeks after, the same unfortunate sensibility is more strikingly exemplified, and more vigorously expressed. In one passage we clearly recognise the peculiarities of his subsequent style.

"I this day left my lodgings; the people were so very unruly that I could stay no longer: I am now at No. 4, in St. Martin's-street, Leicester-fields, not far from my former residence. You will perhaps smile at the weakness, yet I must confess it; never did I feel myself so spiritless, so woe-begone, as when I was preparing for the removal. I had settled myself with an expectation of remaining till I should finally depart for Ireland; I was now leaving it before that period, and my spirits sunk into a mixture of peevishness and despondence at the disappointment. I had emptied the desk belonging to the lodgings of my few moveables, which I collected in a heap on the floor, and prepared to dispose of in my little trunk. Good heavens! in how many various parts, and by how many va-

rious ways may the poor human heart be wounded! Is it that even Philosophy cannot so completely plunge her children in the waters of wisdom, that an heel, at least, will not be left vulnerable, and exposed to the danger of an arrow? Is the fable equally applicable to the mind as to the body? And is all our firmness and intrepidity founded ultimately on our weakness and our foibles? May all our giant fortitude be so lulled into slumber, as, ere it awakes, to be chained to the ground by a few Lilliputian grievances, and held immoveably by such slender fetters? Why else shall we be unaccountably depressed? To leave the friends of my heart, to tear myself from their last affecting farewell, to turn my face to a distant region, separated from them by mountains and oceans and tempests; to endure all this with something like calmness, and yet to feel pain at changing from one street to another! Strange inconsistence! and yet so it was. I proceeded very slowly to fill the trunk. I could not please myself in the packing. Some letters now presented themselves; I could not put them in without reading. At length I made an end of the work, and fell into another reverie. I called to mind my first acquaintance with my little trunk; I industriously hunted my memory for every thing that any way related to it, and gave my recollection a great deal of credit for being so successful in making me miserable. At length I got it behind Tom Gess, and saw poor Tom edging forward to avoid its jolting, and longing to be relieved from his durance. I saw it embark: over how many billows was it wafted, from Cork to Bristol, over how many miles from Bristol to London! And how small a portion of that distance must it measure back to-day! And must I be equally slow in my return? With such sensations I left Mrs. Turner's, perhaps as completely miserable as any man in London."

Of some of his occupations he gives the following account.

"As to my amusements, they are very few. Since I wrote last, I went to one play. I commonly spend even more time at home, than I can employ in reading of an improving or amusing kind.* As

* Mr. Curran's cotemporaries at the Temple have confirmed his own account of his habits at that period. He rose very early, studied till he was exhausted, and then went out in search of his fellow students, with whom he

I live near the Park, I walk there some time every day. I some times find entertainment in visiting the diversity of eating places with which this town abounds. Here every coal-porter is a politician, and vends his maxims in public with all the importance of a man who thinks he is exerting himself for the public service: he claims the privilege of looking as wise as possible, and of talking as loud, of damning the ministry, and abusing the king, with less reserve than he would his own equal. Yet, little as these poor people understand of the liberty they contend so warmly for, or of the measures they rail against, it reconciles one to their absurdity, by considering that they are happy at so small an expense as being ridiculous; and they certainly receive more pleasure from the power of abusing, than they would from the reformation of what they condemn. I take the more satisfaction in this kind of company, as while it diverts me, it has the additional recommendation of reconciling economy with amusement.

"Another portion of time I have set apart every day for thinking of my absent friends. Though this is a duty that does not give much trouble to many, I have been obliged to confine it, or endeavour to confine it, within proper bounds: I have therefore made a resolution to avoid any reflections of this sort, except in their allotted season, that is, immediately after dinner. I am then in a tranquil, happy humour, and I increase that happiness by presenting to my fancy those I love in the most advantageous point of view: so that however severely I treat them when they intrude in the morning, I make them ample amends in the evening; I then assure myself that they are twice as agreeable, and as wise and as good as they really are."

The conclusion of this letter shall be given, if not for the sake of the incidents, at least to show the writer's sensibility to any pathetic occurrence that fell in his way.

"I have lately made two acquaintances; one a Frenchman, Dr. Du Garreau; the other is a German, Mr. Skell, for whom I am indebted to the doctor. With this latter I am not yet much acquaint-

passed the interval till the evening, when they all generally repaired to any debating society that was open. During his second year at the Temple, he spent a considerable portion of his time in the courts of law.

ed; the former is really a man of understanding, and I believe of worth: he is the son of an advocate in Paris, and practised there himself as a physician for some time. He had conceived an affection for a lady with whom the difference of their religion prevented his union at home; but, alas! I believe love is of no particular sect; at least so the lady seemed to think, for she quitted France with him, and took his honour as the security for his adhering to a ceremony performed between them in Holland. After three or four years residence in Amsterdam, where I suppose his practice was not considerable, he brought his wife and child to England last November. She survived the journey but a few weeks, and left the poor man surrounded by every distress. His friends have pressed him to return; but he is determined at all events to remain in England, rather than carry his daughter to a country where she would not be considered as legitimate. Rouelle had hinted to me that there was something singular in his fortune, but I did not know the particulars till a few days since, that I breakfasted with him. He had taken his little child on his knee, and after trifling with her for a few moments, burst into tears. Such an emotion could not but excite, as well as justify, some share of curiosity. The poor doctor looked as if he were conscious I felt for him, and his heart was too full to conceal its affliction. He kissed his little orphan, as he called her, and then endeavoured to acquaint me with the lamentable detail. It was the hardest story in the world to be told by a man of delicacy. He felt all the difficulties of it; he had many things to palliate, some that wanted to be justified; he seemed fully sensible of this, yet checked himself when he slided into any thing like defence. I could perceive the conflict shifting the colours on his cheek, and I could not but pity him and admire him for such an embarrassment. Yet, notwithstanding all his distresses, he sometimes assumes all the gaiety of a Frenchman, and is a very entertaining fellow. These are the occasions on which we are almost justified in repining at the want of affluence; to relieve such an heart from part of its affliction, surely for such a purpose it is not ambitious to wish for riches."

One more of his letters in this year shall be introduced as characteristic of his mind. The person to whom it is addressed, a gen-

tleman of the most amiable and respected character, has survived the writer, but his name is at his own request reluctantly omitted. The friendship of which the commencement of this letter contains a proof, continued without diminution to the day of Mr. Curran's death.

"MY DEAR DICK,

"YOUR packet was one of the most seasonable, on every account. As I think I mentioned to you when I should repay this kindness, in my last, I need not repeat it here. I hope you don't expect any news from me; if you did, I would be under a necessity of disappointing you. Unfortunately I have no gratification in seeing high houses or tall steeples, no ear to be ravished by barrel-organs, no public anxiety or private importance by which vanity might lay hold on me, no fine clothes, no abundance of money, to recommend me to the deity of pleasure. What then can a poor devil like me either see or hear that is worth communicating to a friend? In truth, I think I am nearly the same man I ever was; affecting to look wise, and to talk wise, and exhausting most lavishly on looking and talking, the wisdom that a better economist would reserve for acting. And yet, Dick, perhaps this is natural; perhaps we are mistaken when we wonder at finding frugality, or even avarice, on such good terms with affluence, and extravagance inseparable from poverty. In both cases they are effects that flow naturally from their causes. They are the genuine issue of their respective parents; who, to own the truth, cherish and preserve their offspring with a care truly parental, and unfailingly successful. 'Tis just so in wisdom, and on the same principle the man who has but a very small share of wisdom, (like him whose purse is equally shallow) squanders it away on every silly occasion; he thinks it too trifling to be worth hoarding against emergencies of moment: but a very wise man, or a very rich man, acts in a manner diametrically opposite to this. When the one has ranged his sentiments and marshalled his maxims, and the other computed his tens of thousands, the symmetry of their labours would be destroyed should a single dogma escape to the banners of unwiseness, or a single guinea take its flight to supply an extravagance. Each atom of the aggregate

is held fast by its gravitation to the whole mass; hence the fool is prodigal of his little wisdom, and the sixpence departs in peace from the pocket where it is not troubled with the ceremony of bidding adieu to another. If any chance should make me master of some enormous treasure, I would not despair of finding out its value; and if experience, and the industry of my own folly, shall reap a harvest of prudence, I will make you wonder at my care in drying it for use. I will regale myself in my old age with the spirit of it and dispense the small tea to those who may have occasion for it."

During Mr. Curran's attendance at the Temple, the society in which he mixed was almost exclusively that of his Irish fellow-students. He was at that time too unknown to have access to the circles of literature or fashion, and it was perhaps fortunate for him that his obscurity saved him from those scenes, where he might have contracted the dangerous ambition of soaring when he should have been learning to fly. Of the celebrated persons then in London, he used to mention that he had seen Goldsmith once at a coffee-house, Garrick, (whom he recollected with enthusiasm) two or three times upon the stage, and Lord Mansfield, whose dignified appearance made a very solemn impression upon him, upon the bench. The only man of any eminence that he came into personal contact with was Macklin, the actor, and the origin of their acquaintance was rather singular.

After Mr. Curran had concluded his terms, he was detained for some time in London in expectation of a remittance from Ireland, without which he could neither discharge his arrears at his lodgings, nor return to his own country. At length, just as his purse had attained "the last stage of inanition," he received a bill of exchange upon a banking-house in Lombard-street: without stopping to examine the bill minutely, he flew to present it; but the banker soon discovered that a necessary indorsement was omitted, and of course refused to pay it. Of the scene upon this occasion, as it took place across the counter, his own consternation at the dreadful tidings, and the banker's insensibility to his distress, his solemn and repeated protestations that the bill came from a *most* respectable merchant in the butter trade at Cork, and the wary citizen's

marked distrust of all that was Irish, Mr. Curran used to give a most dramatic and ludicrous description. Having left the banker's, and being without a shilling in his pocket, he strolled into St. James' Park, where he remained during his usual dinner hour, considering the means of relieving himself from his present necessity; but after long reflection, he could only come to one certain conclusion, that the misfortune could never have happened more inopportunely, every one of his Irish friends, to whom alone he could have applied, having quitted London, leaving him behind, awaiting this remittance.

As he sat upon one of the benches, exhausted with devising expedients, he began to whistle a melancholy old Irish air; an old gentleman seated at the other end (it was Macklin) started at the well-known sounds.

"Pray, sir," said the stranger, "may I venture to ask where you learned that tune?"

"Indeed, sir," replied the whistler, in the meek and courteous tone of a spirit which affliction had softened, "indeed you may, sir; I learned it in my native country, in Ireland."

"But how comes it, sir, that at this hour, while other people are dining, you continue here, whistling old Irish airs?"

"Alas! sir, I too have been in the habit of dining of late, but to-day, my money being all gone, and my credit not yet arrived, I am even forced to come and dine upon a whistle in the park."

Struck by the mingled despondence and playfulness of this confession, the benevolent veteran exclaimed, "Courage, young man! I think I can see that you deserve better fare; come along with me, and you shall have it."

About ten years after this interview Macklin came to Dublin: Mr. Curran, who in the interval had risen to eminence, was invited one evening to a party where the actor was one of the company; they were presented to each other, but Macklin failed to recognize in the now celebrated advocate and orator, the distressed student in St. James' Park. Mr. Curran, perceiving this, abstained for the moment from claiming any acquaintance; but he contrived in a little time to introduce a conversation upon the acts of kindness and hospitality which Irishmen so generally receive abroad from such

of their countrymen as they may chance to meet; as a proof of which, he began to relate what had happened to himself, and proceeded to give a vivid picture of the scene, and (suppressing the name) of the generous old man who had befriended him in a land of strangers. A glow of recollection was soon observed upon the player's countenance; he started, and fixing his eyes upon the speaker, "If my memory fails me not, sir," said he, "we have met before?" "Yes, Mr. Macklin," replied Mr. Curran, taking his hand, "indeed we have met; and though upon that occasion you were only performing upon a private theatre, let me assure you, that (to adopt the words of a high judicial personage, which you have heard before) *you never acted better.*"*

Before dismissing this period of Mr. Curran's history, a few words may be added upon the subject of the studies, and intellectual habits of his early days; for in consequence of his not having devoted much time in his latter years to books, and still more from the great predominance of imagination over learning, to be observed in all the productions of his mind, an opinion has generally prevailed that his reading was extremely circumscribed, and that he was, from taste or by constitution, intolerant of any regular application. If such were the fact, notwithstanding the danger of the example, it still would not be denied; the indolent should have all the benefit or all the mischief of such a precedent; but, in truth, Mr. Curran never was a mere gifted idler. He might not, indeed, have been always found with a book before him, he might not have been nominally a severe student, but for the course of forty years he kept his faculties in perpetual exercise; and if all that he created in public, or in the society of his friends, had been composed in the retirement of the closet, it would have scarcely been asserted that idleness was the habit of his mind.

In his youth he was a formal student, to a greater extent than is generally supposed. Before he had attained the age of twenty-five,

* These words were addressed from the bench by Lord Mansfield to Mr. Macklin, to mark his approbation of the liberal conduct of the latter in a cause to which he was a party, and which was tried before his lordship in 1774. The proceedings in that interesting case are given at length in Kirkman's Life of Macklin.

when he was called to the bar, independent of his classical acquirements, which have never been doubted, his acquaintance with general literature was far from inconsiderable; he was perfectly familiar with all the most popular of the English poets, historians, and speculative writers. He had at the same age, with little assistance but that of books, acquired more than a common knowledge of the French language. If he did not pursue a long consecutive course of legal reading, he was yet perpetually making a vigorous plunge, from which he seldom returned without some proof that he had reached the bottom. For several years after his admission to the bar, he devoted more of his mornings and evenings to the study of his profession than his most intimate friends at the time could have believed to be compatible with his convivial habits and public avocations. His frame was never robust, but it was extremely patient of fatigue; and no matter how great the exhaustion of the day, or the evening, a very few hours sleep completely restored it; this natural felicity of constitution he confirmed by early rising, constant exercise, the daily practice of cold bathing, and similar methods of invigorating the system.

Indeed, when it is recollected that Mr. Curran, at the period of his life at present under consideration, was looking to the bar alone for the means of future subsistence, and for the gratification of his ambition, it is utterly incredible that he should have neglected the ordinary arts by which success was to be attained. According to the concurring accounts given by himself and his cotemporaries, he neglected none of them. Eloquence was at that time not only the most popular, but one of the shortest roads to eminence at the Irish bar; and from the moment of the discovery of his powers as a speaker, he began, and continued, to cultivate them with the utmost assiduity. His enunciation (as has been already observed) was naturally impeded, his voice shrill, and his accent strongly provincial, or (to use his own expression) "in a state of nature;" to remove these defects, he adopted the practice of daily reading aloud, slowly and distinctly, and of most studiously observing and imitating the tones and manner of more skilful speakers. The success of this exercise and study was so complete, that among his most unrivalled excellencies as an orator, were the clearness of his articulation,

and a peculiar, uninterrupted, graduated intonation; which, whatever was the subject, whether tender or impassioned, melodised every period. His person was without dignity or grace—short, slender, and inelegantly proportioned. To attain an action, that might conceal as much as possible these deficiencies, he recited perpetually before a mirror, and selected the gesticulation that he thought best adapted to his imperfect stature. To habituate his mind to extemporaneous fluency, he not only regularly attended the debating clubs of London, but, both before and after his admission to the bar, resorted to a system of solitary exercise, of which the irksomeness cannot be well appreciated by those who have never practised it. He either extracted a case from his books, or proposed to himself some original question: and this he used to debate alone, with the same anxious attention to argument and to diction, as if he were discussing it in open court. There is nothing in all this to excite any wonder; but certainly the person who early submitted to these modes of labour, and frequently resumed them, cannot be considered as careless or incapable of application.

It may be a matter of curiosity with some, to know the writers, that, having been Mr. Curran's early favourites, may be supposed to have had an influence in forming his style. Some of his letters, already given, discover in different passages a preference for the manner of Sterne; a similar resemblance appears more frequently, and more strongly, in several others of about the same date, which have not been introduced. It was from the "Letters of Junius," that he generally declaimed before a glass.* Junius and Lord Bolingbroke were the English prose writers, whom he at that time studied as the most perfect models of the declamatory style. Among the English poets, he was passionately fond of "Thompson's Seasons." He often selected exercises of delivery from "Paradise Lost," which he then admired, but subsequently (and it is hoped that few will attempt to justify the change) his sensibili-

* The single exercise that he most frequently repeated for the purpose of improving his action and intonation, was the speech of Antony over Cæsar's body, from Shakspeare's Julius Cæsar. This he considered to be a master piece of eloquence, comprising in itself, and involving in its delivery, the whole compass of the art. He studied it incessantly, and pronounced it with great skill, but though he delighted his auditors, he never entirely satisfied himself; he uniformly recommended it as a lesson to his *young friends at the bar*.

ty to the beauties of that noble poem greatly subsided.* In this list, the sacred writings must not be omitted; independent of their more solemn titles to his respect, Mr. Curran was from his childhood exquisitely alive to their mere literary excellencies; and in his maturer years seldom failed to resort to them, as to a source of the most splendid and awful topics of persuasion.†

Before quitting the subject of Mr. Curran's youthful habits, it is proper to mention the pleasure that he took in occasionally mingling in the society of the lower orders of his countrymen: he was a frequent attendant at the weddings and wakes of his neighbourhood. Being from his infancy familiar with the native Irish language, he lost nothing of whatever interest such meetings could afford. They appear to have had considerable influence on his mind; he used to say himself, that he derived his first notions of poetry and eloquence from the compositions of the hired mourner over the dead.‡ It was probably amidst those scenes that he acquired the rudiments of that thorough knowledge of the Irish character, of which he afterwards made so amusing an use in enliven-

* In criticising Milton, Mr. Curran always dwelt upon what others have considered among the most splendid and attractive parts of his work, the scenes in Paradise; in objecting to which, he contended that the human characters introduced are detached and solitary beings, whose peculiar situation precluded them from displaying the various social feelings and passions, which are the proper subjects of poetic emotion. For a vigorous and eloquent answer to this objection, see Hazlitt's observations on Paradise Lost, in his Lectures upon the English Poets.

† Of all the profane writers, Virgil, whom he considered "the prince of sensitive poets," was his favourite. For a considerable part of his life, he made it a rule to read Homer once a year; but the more congenial tenderness of Virgil attracted him every day.

‡ It may be necessary to inform some English readers, that the practice of formal lamentations over the dead is one of the ancient customs of the Irish, which is continued among the lower orders to the present day. In the last century, it was not unusual upon the death of persons of the highest condition. The ceremony is generally performed by women, who receive a remuneration for composing and reciting a "Coronach" at the wake of the departed. In some parts of Ireland, these women used formerly to go about the country, to "look in" upon such elderly persons as might soon require their attendance; and to remind them, that whenever the hour might arrive, a noble Coronach should be ready. Mr. Curran's father-in-law, Dr. Creagh, was so molested by one of these dispiriting visitors, and had such an aversion to the usage, that in the first will he ever made he thus begins, after the usual preamble, "requesting it as a favour of my executors, that, neither at my wake, nor at my funeral, they will suffer any of the savage howlings, and insincere lamentations, that are usually practised upon these serious and melancholy occasions, but to see the whole of my burial conducted with silence and christian decency."

ing a company, and so important a one in confounding a perjured witness. It may have been too in this humble intercourse that some even of his finer tastes and feelings originated or were confirmed. Out of Ireland the genius of its natives is, in general, but partly known. They are, for the most part, represented as comical and impetuous, qualities which, lying upon the surface, strike the stranger and superficial observer; but with these they unite the deepest sensibility. It is the latter that prevails; and if their pathetic sayings had been as sedulously recorded as their lively sallies, it would be seen that they can be as eloquent in their lamentations as they are original in their humour. Of these almost national peculiarities, so opposite, yet so constantly associated, Mr. Curran's mind strongly partook; and in his, as in his country's character, melancholy predominated. In his earliest, as well as his latest speculations, he inclined to take a desponding view of human affairs—he appeared, indeed, more frequently in smiles to relax his mind, or to entertain his companions; but when left entirely to his original propensities, he seems to have ever wept from choice.

One conjecture more shall be hazarded, and so pleasing a one, that few can wish it to be unfounded. It was probably from this early intercourse with the peasantry of his country, and from the consequent conviction of their unmerited degradation, that sprang that unaffected soul-felt sympathy for their condition, so conspicuous in Mr. Curran's political career. Upon this subject it was evident that his heart was deeply involved. From them, notwithstanding much temptation and many dangers, his affections never wavered for an instant. From the first dawn of political obligation upon his mind to his latest hour (an interval of more than half a century) he never thought or spoke of them but with tenderness, and pity, and indignation. At the bar, in the senate,* on the bench, amidst his family and friends, or in the society of the most illustrious per-

* Upon one occasion, alluding in parliament to the general apathy of the ministry to the condition of the great body of the Irish people, he observed, "I am sorry to see that the rays of the honourable member's panegyric were not vertical; like the beams of the morning, they courted the mountain-tops, and left the valleys unilluminated—they fell only upon the great, while the miserable poor were left in the shade."—*Debates in Irish House of Commons*, 1787.

sonages of the empire, the sufferings of the Irish peasant were remembered, and their cause pleaded with an energy and reality that proved how well he knew, and how deeply he felt for, that class whose calamities he deplored. "At any time of my life," said he, "I might, to a certain degree, as well as others, have tied up my countrymen in bundles, and sold them at the filthy market of corruption, and have raised myself to wealth and station, and remorse —to the envy of the foolish, and the contempt of the wise: but I thought it more becoming to remain below among them, to mourn over and console them; or, where my duty called upon me, to reprimand and rebuke them, when they were acting against themselves."

In some of the published accounts of Mr. Curran's life it has been stated, that when at the Temple, and afterwards while struggling into notice at the bar, he derived part of his subsistence from contributions to literary works; but for this there is no foundation. During the first year of his residence in London his means were supplied partly by his relatives in Ireland, and partly by some of his more affluent companions, who considered his talents a sufficient security for their advances. In the second year he married a daughter of the Doctor Creagh already mentioned; her portion was not considerable, but it was so carefully managed, and his success at the bar was so rapid, that he was ever after a stranger to pecuniary difficulties.

It may, too, be here observed, that had he been originally more favoured by fortune, his prospect of distinguished success in his profession might not have been so great. There is, perhaps, fully as much truth as humour in the assertion of an English judge, that a barrister's first requisite for attaining eminence is "*not to be worth a shilling.*"* The attractions of the bar, when viewed from a distance, will dazzle and seduce for a while. To a young and generous spirit it seems, no doubt, a proud thing to mix in a scene where merit and talent alone are honoured, where he can emulate the example, and perhaps reach the distinctions of our Hales and Holts, and Mansfields.

* The learned judge alluded to, upon being asked "What conduced most to a barrister's success?" is said to have replied, "that barristers succeeded by many methods; some by great talents, some by high connexions, some by a miracle, but the *majority by commencing without a shilling.*"

But all this fancied loveliness of the prospect vanishes the moment you approach and attempt to ascend. As a calling, the bar is perhaps the most difficult, and after the first glow of enthusiasm has gone by, the most repelling. To say nothing of the violence of the competition, which alone renders it the most hazardous of professions, the intellectual labour and the unintellectual drudgery that it involves, are such as few have the capacity, or, without the strongest incitements, the patience to endure. To an active and philosophic mind the mere art of reasoning, the simple perception of relations, whatever the subject matter may be, is an exercise in which a mind so constituted may delight; but to such a one the study of the law has but little to offer. If the body of English law be a scientific system, it is a long time a secret to the student: it has few immutable truths, few master-maxims, few regular series of necessary and nicely adapted inferences. In vain will the student look for a few general principles, to whose friendly guidance he may trust, to conduct him unerringly to his object: to him it is all perplexity, caprice, and contradiction*—arbitrary and mysterious rules, of which to trace and comprehend the reasons is the work of years—forced constructions, to which no equity of intention can reconcile—logical evasions, from which the mind's pride indignantly revolts—of all these the young lawyer meets abundance in his books: and to encounter and tolerate them he must have some stronger inducement than a mere liberal ambition of learning or of fame. We consequently find that there is no other profession supplying so many members who never advance a single step; no other which so many abandon, disgusted and disheartened by the sacrifices that it exacts.

To these fearful pursuits Mr. Curran brought every requisite of mind and character, and education, besides the above grand requisite of want of fortune. Instead of being surprised at his eminent

* This was at least what Mr. Curran found it. In his poem on Friendship, already mentioned, he says,

"Oft, when condemn'd 'midst Gothic tomes to pore,
And, dubious, con th' embarrass'd sentence o'er,
While meteor meaning sheds a sickly ray
Through the thick gloom, then vanishes away,
With the dull toil tired out, th' indignant mind
Bursts from the yoke, and wanders unconfined."

success, the wonder would have been if such a man had failed. Having acquirements and hopes, and a station, above his circumstances, to hold his ground, he could not allow his powers to slumber for a moment. His poverty, his pride, a secret consciousness of his value, and innate superstitious dread of obscurity, "that last infirmity of noble minds," kept him for ever in motion, and impatient to realize his own expectations, and the predictions of those friends by whom his efforts were applauded and assisted.

It appears in a passage of one of his letters from the Temple, that he had, for a while, an idea of trying his fortune at the American bar. "Mrs. W." says he, "concludes her letter with mentioning her purpose of revisiting America, and repeating her former advice to me on that subject. As for my part, I am totally undetermined. I may well say, with Sir Roger de Coverly, that 'much may be said on both sides.' The scheme might be attended with advantage; yet I fear my mother, especially, would not be easily reconciled to such a step." But he soon abandoned the idea; for in a letter dated a few weeks after he says—"As to the American project, I presume it is unnecessary to tell you that the motives are now no more, and that the design has expired of consequence. I have been urged to be called to that bar, and my chief inducement was my friendship for Mrs. W., to whom I might be useful in that way; but there isso little likelihood of her going, that I shall scarcely have an opportunity of sacrificing that motive to my attachment for Ireland."

CHAPTER III.

Mr. Curran called to the Irish bar—Dissimilarities between that and the English bar—Causes of the difference.

Mr. Curran was called in Michaelmas term, 1775, to the Irish bar, which was to occupy so distinguished a portion of his future life; but as the genius and habits of that bar, during the whole of his career, differed in many particulars essentially from that of England, it will be necessary to make a passing allusion to those distinctions, without which English readers might find it difficult to reconcile the specimens of his eloquence that occur in the following pages, with their previous ideas of forensic oratory.

No person who has attended to the course of forensic proceedings in the two countries can have failed to have observed, that while in England they are (with a very few exceptions) carried on with cold and rigorous formality, in Ireland they have not unfrequently been marked by the utmost vivacity and eloquence. The English barrister, even in cases of the deepest interest, where powerful emotions are to be excited, seldom ventures to exercise his imagination, if, indeed, long habits of restraint have left him the capacity to do so: yet in the Irish courts, not only are such subjects discussed in a style of the most impassioned oratory, but many examples might be produced, where questions more strictly technical, and apparently the most inappropriate themes of eloquence, have still been made the occasion of very fervid appeals to the feelings or the fancy. This latitude of ornament and digression, once so usual at the Irish bar, has been never known, and would never have been tolerated in Westminster Hall. It would be there accounted no less new than extravagant to hear a counsel pathetically reminding the presiding judge of the convivial meetings of their early days,* or enlivening his arguments on a grave question of law by humorous illustration.† Yet was all this listened to in Ireland

* See Mr. Curran's apostrophe to Lord Avonmore, chap. iv.

† Of these, examples without number might be produced from Mr. Curran's law arguments. His published speech in the Court of Exchequer, on Mr. Justice Johnson's case, is full of them. Equally striking instances occur in his argument on the same question before the Court of King's Bench.

with favour and admiration. It had, indeed, little influence upon the decisions of the bench. The advocate might have excited the smiles or tears of his hearers, but no legal concessions followed. The judges who showed the most indulgence and sensibility to these episodes of fancy were ever the most conscientious in preserving the sacred stability of law. Into the counsel's mirth or tenderness, no matter how digressive, they entered for the moment more pleased than otherwise with irregularities that gratified their taste and relieved their labour; but with them the triumph of eloquence was but evanescent—the oration over, they resumed their gravity and firmness, and proved by their ultimate decision, that if they relaxed for an instant, it was from urbanity, and not from any oblivion of the paramount duties of their station. The effects, however, which such appeals to the passions produced (as they still continue to do) upon juries, was very different; and when the advocate transferred the same style into his addresses to the bench, it was not that his judgment had selected it as the most appropriate, but because he found it impossible to avoid relapsing into those modes of influencing the mind, which he had been long habituated to employ with so much success in another quarter.

In accounting for this adoption at the Irish bar, of a style of eloquence so much more fervid and poetical than the severer notions of the English courts would approve, something must be attributed to the influence of the national character. From whatever cause it has arisen, the Irish are by temperament confessedly more warm and impetuous than their neighbours: their passions lying nearer the

"The minister going to the House of Commons might be arrested upon the information of an Irish chairman, and the warrant of a trading justice. Mr. Pitt might be brought over here *in vinculis*. What to do? to see whether he can be bailed or not. I remember Mr. Fox was once here during the lifetime of this country—so might he be brought over. It may facilitate the intercourse between the countries, for any man may travel at the public expense; as, suppose I gave an Irishman in London a small assault in trust, when the vacation comes, he knocks at the door of a trading justice, and tells him, he wants a warrant against the counsellor. What counsellor?—Oh, sure every body knows the counsellor. Well, friend, and what is your name?—Thady O'Flannigan, please your honour.—What countryman are you?—An Englishman, *by construction*. Very well, I'll draw upon my correspondent in Ireland for the body of the counsellor."

For a more modern example of eloquence and humour upon such questions the Irish reader is referred to the argument of the present Solicitor-General, (Mr. C. K. Bushe), in the case of the King against O'Grady.

surface, their actions are more governed by impulse, and their diction more adorned by imagination, than it would be reasonable to expect in a colder, more advanced, and philosophic people. In addressing persons so constituted, the methods most likely to prevail are sufficiently obvious. The orator, who knows any thing of his art, must be aware that frigid demonstration alone is not the best adapted to men who take a kind of pride in regulating their decisions by their emotions, and that a far more certain artifice of persuasion must be to fill their minds with those glowing topics by which they habitually persuade themselves.

It may be observed, too, that although the habits of mind which must be cultivated, in order to succeed in such a style of eloquence, are altogether different from those involved in the study of the law; yet in Ireland they have never been deemed incompatible with legal occupations. The preparation for the bar there has never been so entirely technical as it usually is in England: a very general taste for polite literature and popular acquirements has been united with the more stern and laborious attainments of professional knowledge, and it is to this combination of pursuits, that invigorate the understanding with those which exercise the imagination and improve the taste, that must be attributed that mass of varied and effective talent, which has so long existed among the members of the Irish bar.

But the immediate cause of that animated style of eloquence that has of late years prevailed there, appears to have been the influence of the Irish House of Commons.

It was principally in the productions of the eminent leaders in that house, that originated the modern school of Irish oratory. In Ireland this popular style made its way from the senate to the bar; though at first view such a transition may not seem either necessary or natural. In England it has not taken place. At the time that the first Mr. Pitt, the pride of the English senate, was exalting and delighting his auditors by the majesty of his conceptions and the intrepid originality of his diction, Westminster Hall remained inaccessible to any contagious inspiration. At a later period, upon the memorable trial of Warren Hastings, the contrast is brought more palpably to view. While the celebrated prosecutors in that cause

were soaring as high as imagination could find language to sustain it, while they were "shaking the walls that surrounded them with those anathemas of super-human eloquence,"* which remain among the recorded models of British oratory, the lawyers, who conducted the defence, were in general content to retaliate with tranquil argument and uninspired refutation. The introduction, therefore, of the parliamentary manner into the courts of Ireland, is to be accounted for by some circumstances peculiar to the country.

During that period when eloquence flourished most in the Irish parliament, that is, for the last forty years of its existence, the number of barristers in the House of Commons bore a much greater proportion to the whole than has been at any time usual in England.† In those days the policy by which Ireland was governed being in the utmost degree unpopular, the whole patronage of the Irish administration was necessarily expended in alluring supporters of the measures against which the nation exclaimed. A majority of *numbers* in the House of Commons could then be easily procured, and for a long time such a majority had been sufficient for every purpose of the government; but at the period in question, the increasing influence and talent of the minority rendered it necessary to adopt every method of opposing them (if possible) with a predominance of intellect. The means of doing this, it would appear, were not to be found in that body which ruled the country, and recourse was had to the expedient of enlisting the rising men of the

* Erskine's defence of Stockdale. This celebrated advocate may be adduced in refutation of some of the above opinions, and it must be admitted that in some degree he forms an exception; yet, without inquiring now, whether his was a style of eloquence peculiar to the individual, or characteristic to the English bar; it may be observed, that it differed essentially from that which prevailed at this time in the British parliament, and to a still greater extent in the Irish senate and at the Irish bar. If he had produced many such passages as that of the American savage, it would have been otherwise; but his general strength did not lie in the fervour of his imagination; it was by the vigour of his ethics and his logic, enforced by illustrations rather felicitous than impassioned, that he brought over the judgment to his side. It is not intended by these remarks to assign a superiority to either style—it is to be supposed that the eminent advocates of the two bars adopted the manner that was best suited to their respective countries.

† See the biographical sketches of the eminent Irish senators, in Hardy's Life of Lord Charlemont. See also note, chap. iv.

bar in the service of the administration.* Accordingly, every barrister who had popular abilities enough to render his support of any moment, found a ready admission into parliament, upon the condition of his declaring for the viceroy; and in the event of his displaying sufficient talent and constancy, was certain of being rewarded with the highest honours of his profession.

But independent of those who were thus introduced to the senate, the bar was the profession most generally resorted to by the members or dependents of the highest families; as one in which, without any claim of merit, they could, through the influence of their patrons, obtain situations of professional emolument, and where, if they possessed such a claim, the road was so open to legal preferment and to political distinction; and consequently all of the latter description, recommended by their talents, and supported by the power of their connexions, found access to the House of Commons, long before that period of standing and of professional reputation, at which the succesful English barrister is accustomed or deems it prudent to become a senator.

These circumstances alone would in a great degree account for the number of lawyers in the Irish parliament; but it should be farther observed, that it was not any particular class that looked to or obtained a seat in that assembly: the ambition of appearing there was very general at the Irish bar; it was the grand object upon which every enterprizing barrister fixed his eye and his heart. This was the age of political speculation; it was "Ireland's life

* Such was the commencement of (among others) the late Lord Clonmel's fortune. "The Marquis of Townshend had expressed his wishes to Lord Chancellor Lifford, for the assistance of some young gentlemen of the bar, on whose talent and fidelity he might rely, in the severe parliamentary campaigns then (1769) likely to take place. Lord Lifford recommended Mr. Scott, who was accordingly returned to parliament, to oppose the party led on by the celebrated Flood."—Hardy's Life of Lord Charlemont.

The necessity of calling in such aid gives us but a poor idea of the education and talents of the Irish aristocracy of the time. Mr. Grattan, in 1797, thus mentions the great improvement in the intellect of his country that he had witnessed. "The progress of the human mind in the course of the last twenty-five years has been prodigious in Ireland; I remember when there scarcely appeared a publication in a newspaper of any degree of merit, which has not been traced to some person of note, on the part of government or the opposition; but now a multitude of very powerful publications appear, from authors entirely unknown, of profound and spirited investigation."—Letter to the citizens of Dublin.

time." Great original questions were daily agitated in her parliament: the struggle between popular claims and ancient prerogatives was a scene where much seemed likely to be gained—by the venal for themselves, by the honest for their country; but whether considered as a post of honour or of profit, it was one to which men of colder temperaments than the Irish might be easily moved to aspire.

The consequence of this intermixture of political with legal pursuits was, that the talents most suited to advance the former were much cultivated and constantly exercised; and from this difference in the objects and habits of the bars of the two countries appear to have principally resulted the different styles of oratory displayed by the members of each, both in their parliamentary and forensic exertions. The English barrister, long disciplined to technical observances, having passed the vigour of his intellect in submissive reverence to rules and authorities, brings into the House of Commons the same subtle propensities, and the same dread of expanded investigation and of rhetorical ornament that his professional duties imposed; but in Ireland the leading counsel were also from an early age distinguished members o e senate. If in the morning their horizon was bounded by their briefs, in a few hours their minds were free to rise, and extend it as far as the stateman's eye could reach; they had the daily excitation and tumult of popular debate to clear away any momentary stagnations of fancy or enterprize; the lawyer became enlarged into the legislator, and instead of introducing into the efforts of the latter the coldness and constraint of his professional manner, he rather delighted to carry back with him to the forum, all the fervour, and pomp, and copiousness of the deliberative style.

The parliament of Ireland, the nurse of the genius and ambition of its bar, is now extinct; but the impulse that it gave is not yet spent; the old have not yet forgotten the inspiration of the scene where they beheld so many accomplished orators pass their most glorious hours; the young cannot hear without a throb of emulation the many wonderous things of that proud work of their fathers, which was levelled for having towered too high; nor is the general regret of the bar for its fall unincreased by their possession and

daily admiration of two noble and still perfect relics, attesting the magnificence of the structure they have survived.*

Another peculiarity of the Irish bar that is now passing away, but which prevailed to a great extent during Mr. Curran's forensic career, was the frequency of collisions between the bar and the bench. It was often his fate to be involved in them, and many are the instances of the promptness of repartee, and of the indignant intrepidity with which on all such occasions he defended the privileges of the advocate. It will be presently seen that he had scarcely appeared at the bar, when he showed how he could encounter and triumph over all the taunts and menaces of a hostile judge. The same spirit of resistance and retaliation will be found in his contests with Lord Clare; and at a much subsequent period, when he was exerting himself in a cause with his characteristic firmness, the presiding judge having called the sheriff to be ready to take into custody any one who should disturb the decorum of his court, "Do, Mr. Sheriff," replied Mr. Curran, "go and get ready my dungeon; prepare a bed of straw for me; and upon that bed I shall to-night repose with more tranquillity than I should enjoy were I sitting upon that bench with a consciousness that I disgraced it."

The same political causes that have been already alluded to as influencing the oratory of the Irish bar, will in a great measure account for these conflicts in the courts, and for that tone of sarcasm and defiance assumed by the barrister on such occasions.

It was one of the public calamities of the period when such scenes were most frequent, that in the selection of persons to fill the judicial seat, more attention was often paid to family interest and political services than to the claims of merit, or the benefit of the community. No doubt it sometimes happened that this important office was bestowed upon men, to whom the appointment to situations of honour and of trust was less a gift, than the payment of the justest debt. What dignity could be too exalted for the learned and accomplished Lord Avonmore? What trust too sacred for Lord Kilwarden, the most conscientious, and pacific, and merciful of men?

* Messrs. Bushe and Plunkett, two of the members of the Irish House of Commons, the most distinguished for eloquence, continue at the Irish bar

But if Ireland beheld such persons adorning their station, she had the anguish and humiliation to see others degrading it by their political fury, or by the more indecent gratification of their particular animosities. Influenced by such unworthy feelings of party or of private hostility, the judges in those days were too prone to consider it a branch of their official duty to discountenance any symptoms of independence in their court; and though at times they may have succeeded, yet at others, indignant and exemplary was the retaliation to which such a departure from their dignity exposed them: for it was not unusual that the persons who made these experiments upon the spirit of the bar, and whose politics and connexions had raised them to a place of nominal superiority, were in public consideration, and in every intellectual respect, the inferiors of the men that they undertook to chide. It sometimes happened too that the parties, whose powers might be less unequal, had been old parliamentary antagonists; and when the imputed crimes of the oppositionist came to be visited upon the advocate, it is not surprising that he should have retorted with pride, and acrimony, and contempt. Hence arose in the Irish courts those scenes of personal contention, which the different character of the bench in later times precludes, and which (whatever side gain the victory) must ever be deprecated as ruinous to the client, and disgraceful to that spot, within whose precincts faction and passion should never be permitted to intrude.

But though the solemnity of judicial proceedings in Ireland might have been often disturbed by the preceding causes, they have been more frequently enlivened by others of a less unamiable description. Notwithstanding the existence there of that religious and political bigotry which tends to check every cheerful impulse, and in their place to substitute general distrust and gloom, these baneful effects have been powerfully counteracted by the more prevailing influence of the national character. The honest kindly affections of nature, though impeded, have still kept on their course. In spite of all the sufferings and convulsions of the last century, the social vivacity of the Irish was proverbial. It subsisted, as it still subsists, in an eminent degree in their private intercourse; it may be also seen constantly breaking forth in their public discussions. At the bar, where the occasions of jocularity so frequently occur, it is, as might be ex-

pected, most strikingly displayed. The Irish judges have not disdained to resign themselves to the favourite propensity of their country. The humorous sally or classical allusion, which would have pleased at the table, has not beeen frowned upon from the bench: their habits of social intimacy with the bar, and their own tastes as scholars and companions, have rather prepared them to tolerate, and even join in those lively irregularities which the more severe decorum of Westminster Hall might condemn. This urbanity and indulgence still remains; and scarcely a term passes over without many additions, either from the bar or the bench, to the large fund of Irish forensic humour.

A more frequent and less dignified description of mirth, of which so much may be observed in the legal proceedings of Ireland, is that which originates in the particular character of the lower orders of that country. They abound in sagacity and repartee; qualities to which, when appearing as unwilling as witnesses, or when struggling under the difficulties of a cross examination, they seldom fail to fly for shelter. Their answers on such occasions are singularly adroit and evasive,* and the advocate is consequently obliged to adopt every artifice of humour and ridicule, as more effectual than seriousness or menace, to extract the truth and expose their equivocations. The necessity of employing such methods of confounding the knavish ingenuity of a witness, perpetually occasions the most striking contrasts between the solemnity of the subjects, and the levity of the language in which they are investigated. It is particularly in the Irish criminal courts that scenes of this complicated interest most constantly occur. In the front appear the counsel and the evidence in a dramatic contest, at which the auditors cannot refrain from bursts of laughter, and at a little distance behind, the prisoner under trial, gazing upon them with agonized attention, and catching at a presage of his fate in the alternating dexterity or fortune of the combatants.

This intrusion of levity into proceedings that should be marked by pomp and dignity may be indecent, but it is inevitable. Without this latitude of examination no right would be secure, and when

* See Mr. Curran's cross examination of O'Brien, inserted hereafter.

exerted, no gravity can resist its influence; even the felons visage is often roused from its expression of torpid despair by the sallies that accompany the disclosure of his crimes. As long therefore as the Irish populace retain their present character of vivacity and acuteness, the Irish advocate must cultivate and display his powers of humour, often, perhaps, to a greater extent than his own better taste would desire; and the courts, aware of the necessity of such an instrument for eliciting the truth, will not consider it incumbent on them to interfere with its use.

CHAPTER IV.

Mr. Curran's early success at the bar—His contest with Judge Robinson—His defence of a Roman Catholic priest—His duel with Mr. St. Leger—Receives the dying benediction of the priest—Lord Avonmore's friendship—His character of Lord Avonmore—Monks of St. Patrick, and list of the original members—Anecdotes of Lord Avonmore—Mr. Curran's entrance into parliament.

Mr. Curran has been frequently alluded to as one of the many examples in the history of the bar, of the highest talents remaining for a long time unknown and unrewarded. This, however, was not the fact: so general was the reputation of his abilities, and so numerous his personal friends, that he became employed immediately, and to an extent that is very unusual with those, who, like him, have solely depended upon their own exertions, and upon accidental support.*

The failure of Mr. Curran's first attempt at speaking has been mentioned: a more singular instance of that nervousness which so frequently accompanies the highest capacity, occurred to him upon his debut in the courts. The first brief that he held was in the court of Chancery; he had only to read a short sentence from his instructions, but he did it so precipitately and inaudibly, that the chancellor, Lord Lifford, requested of him to repeat the words, and to raise his voice: upon this his agitation became so extreme that he was unable to articulate a syllable; the *brief dropped from his hands*, and a friend who sat beside him was obliged to take it up and read the necessary passage.

This difference, however, totally vanished whenever he had to repel what he conceived an unwarrantable attack. It was by giving proofs of the proud and indignant spirit with which he could chastise aggression, that he first distinguished himself at the bar:† of

* The fact of his early practice appears from his own fee-book in which the receipts commence from the day after he was called to the bar. The first year produced eighty-two guineas, the second between one and two hundred, and so on, in a regularly increasing proportion.

† His first occasion of displaying that high spirit which was afterwards so prominent in his character, was at the election of Tallagh, where he was

this his contest with Judge Robinson is recorded as a very early and memorable instance. Mr. Curran having observed in some case before that judge, "That he had never met the law as laid down by his lordship, in any book in *his* library," "That may be, sir," said the judge, in an acrid contemptuous tone; "but I suspect that *your* library is very small." His lordship, who, like too many of that time, was a party zealot, was known to be the author of several anonymous political pamphlets, which were chiefly conspicuous for their despotic principles and excessive violence. The young barrister, roused by the sneer at his circumstances, replied that true it was that his library might be small, but he thanked heaven that, among his books, there were none of the wretched productions of the frantic pamphleteers of the day. "I find it more instructive, my lord, to study good works than to compose bad ones; my books may be few, but the title-pages give me the writers' names: my shelf is not disgraced by any of such rank absurdity that their very authors are ashamed to own them."

He was here interrupted by the judge, who said, "Sir, you are forgetting the respect which you owe to the dignity of the judicial character."—"Dignity!" exclaimed Mr. Curran; "my lord, upon that point I shall cite you a case from a book of some authority, with which you are perhaps not unacquainted. A poor Scotchman,* upon his arrival in London, thinking himself insulted by a stranger, and imagining that he was the stronger man, resolved to resent the affront, and taking off his coat, delivered it to a bystander to hold; but having lost the battle, he turned to resume his garment, when he discovered that he had unfortunately lost that also, that the trustee of his habiliments had decamped during the affray. So, my lord, when the person, who is invested with the dignity of the judgment-seat, lays it aside for a moment, to enter into a disgraceful personal contest, it is vain, when he has been worsted in the

engaged as counsel, a few months after his admission to the bar. One of the candidates, presuming upon his own rank, and upon the young advocate's unostentatious appearance; indulged in some rude language towards him; but was instantly silenced by a burst of impetuous and eloquent invective, which it at that time required an insult to awaken.

* Perhaps it is unnecessary to remind most readers, that the Scotchman alluded to is Strap, in Smollett's Roderic Random.

encounter, that he seeks to resume it—it is in vain that he endeavours to shelter himself from behind an authority, which he has abandoned."

Judge Robinson.—'If you say another word sir, I'll commit you.'

Mr. Curran.—"Then, my lord, it will be the best thing you'll have committed this term."

The judge did not commit him; but he was understood to have solicited the bench to interfere, and make an example of the advocate by depriving him of his gown, and to have received so little encouragement, that he thought it most prudent to proceed no further in the affair.

From this, and many other specimens of spirit and ability, Mr. Curran's reputation rapidly increased; but it was not till he had been four or five years at the bar that his powers as an advocate became fully known. His first opportunity of displaying them was in a cause at the Cork Assizes, in which a Roman Catholic priest, the Rev. Mr. Neale, brought an action against a nobleman of that county (Lord Doneraile), for an Assault and battery.

The circumstances attending this case mark the melancholy condition of the times. They afford a single, but a very striking example of those scenes of local despotism and individual suffering, of which, at this degraded period, Ireland was daily the witness and the victim.

The nobleman in question had contracted an intimacy with a young woman, whose family resided in the parish of which the plaintiff in this action was the priest. This woman's brother having committed some offence against religion, for which the Roman Catholic bishop of the diocese had directed that the censures of the church should be passed upon him, she solicited Lord Doneraile to interfere, and to exert his influence and authority for the remission of the offender's sentence. His lordship, without hesitation, undertook to interpose his authority. For this purpose he proceeded, accompanied by one of his relatives, to the house, or rather cabin, of the priest. As soon as he arrived there, disdaining to dismount from his horse, he called in a loud and imperious tone, upon the inhabitant to come forth. The latter happened at

that moment to be in the act of prayer; but hearing the voice, which it would have been perilous to disregard, he discontinued his devotions to attend upon the peer. The minister of religion appeared before him (an affecting spectacle, to a feeling mind, of infirmity and humility), bending under years, his head uncovered, and holding in his hand the book which was now his only source of hope and consolation. His lordship ordered him to take off the sentence lately passed upon his favourite's brother. The priest, struggling between his temporal fears and the solemn obligations of his church, could only reply, with respect and humbleness, that he would gladly comply with any injunction of his lordship, but that to do so in the present instance was beyond his power; that he was only a parish priest, and, as such, had no authority to remit an ecclesiastical penalty imposed by his superior; that the bishop alone could do it. To a second and more angry mandate, a similar answer was returned, upon which the nobleman, forgetting what he owed to his own dignity, and the pity and forbearance due to age, and the reverence due to religion, raised his hand against the unoffending old man, who could only escape the blows directed against his person by tottering back into his habitation, and securing its door against his merciless assailant.

For this disgraceful outrage, to which the sufferer was exposed, because he would not violate the sanctity of his own character and the ordinances of his church, for the gratification of a profligate woman, who chanced to be the mistress of a peer, he for some time despaired of obtaining redress. So great was the provincial power of this nobleman, and such the political degradation of the Roman Catholic clergy, that the injured priest found a difficulty in procuring an advocate to plead his cause. At length, several to whom he applied having (according to the general report) declined to be concerned for so unpopular a client,* Mr. Curran justly conceiving that it would be a stain upon his profession if such scenes

* In 1735, a Catholic nobleman (Lord Clancarty) brought an ejectment to recover his family estates that had been confiscated, but by a resolution of the Irish House of Commons, all barristers, solicitors, attorneys, or proctors, that should be concerned for him, were voted public enemies (O'Connor's History of the Irish Catholics, p. 218;) and in Ireland the prejudices, which had dictated so iniquitous a measure, were not extinct in 1780.

of lawless violence were allowed to pass without investigation, took a step which many considered as most romantic and imprudent, and only calculated to baffle all his prospects upon his circuit; he tendered his services to the unfriended plaintiff, and, the unexpected offer being gratefully accepted, laid the story of his unmerited wrongs before a jury of his country.

No printed report of this trial has been preserved, but all the accounts of it agree that the plaintiff's counsel acquitted himself with eminent ability. And it is only by adverting to the state of those times, that we can appreciate the ability that could obtain success. This was not, as an ordinary case, between man and man, where each may be certain of an equitable hearing. The advocate had to address a class of men who were full of furious and inveterate prejudices against his client. The very appearance of a Roman Catholic clergyman, obtruding his wrongs upon a court of justice, was regarded as a presumptuous novelty. To the minds of the bigoted jurors of that day, his demand of redress was an act of rebellion against the protestant ascendancy—a daring effort to restore a deposed religion to its throne. The cause had also, from the characters of the parties, excited the greatest public interest, and the sympathy of the public, as is always the case when no epidemic passions intervene, was upon the side of the oppressed; but the general expression of such a feeling was rather detrimental to its object. The crowds that filled, and surrounded the court, upon the day of trial, were Roman Catholics, and were supposed, by a very obvious construction, to have assembled, not so much to witness a triumph of justice, as to share in a triumph of their religion. Upon such an occasion, the advocate had not merely to state the fact and apply the law; before he could convince or persuade, he had to pacify—to allure his hearers into a patient attention, and into a reversal of the hostile verdict, which, before they were sworn, they had tacitly pronounced. These were the difficulties against which Mr. Curran had to contend, and which he overcame. The jury granted a verdict to his client, with thirty guineas damages. So small a sum would now be deemed a very paltry remuneration for such an injury; but in Ireland, about forty years ago, to have wrung even so much from a protestant jury, in favour of a

Catholic priest, against a protestant nobleman, was held to be such a triumph of forensic eloquence, and to be in itself so extraordinary a circumstance, that the verdict was received by the people at large as an important political event.

In a part of his address to the jury in this case, the plaintiff's counsel animadverted, with the utmost severity of invective, upon the unworthy conduct of the defendant's relative (Mr. St. Leger), who had been present, and countenancing the outrage upon the priest. At length, his zeal and indignation hurrying him beyond his instructions, he proceeded to describe that gentleman (who had lately left a regiment that had been ordered on actual service), as "a renegado soldier, a drummed-out dragoon, who wanted the courage to meet the enemies of his country in battle, but had the heroism to redeem the ignominy of his flight from danger, by raising his arm against an aged and unoffending minister of religion, who had just risen from putting up before the throne of God a prayer of general intercession, in which his heartless insulter was included.

As soon as the trial was over, he was summoned to make a public apology for those expressions, or to meet Mr. St. Leger in the field.* He was fully sensible that his language had not been strictly warrantable, and that a barrister had no right to take shelter under his gown from the resentment of those, whose feelings and character he might have unjustifiably attacked; but perceiving that

* There was another circumstance during this trial, which had given equal offence, and which, whatever judgment may be passed upon it now, was well calculated to influence the jury. Mr. Curran knew that Mr. St. Leger was to be produced as one of the defendant's witnesses, and it was in order to diminish the weight of his testimony, that he had described him as above. He had, however, mentioned no name, but merely apprised the jury, that such a character might be brought to impose upon them. When Mr. St. Leger came upon the table,* and took the testament in his hand, the plaintiff's counsel, in a tone of affected respect, addressed him, saying, "Oh, Mr. St. Leger, the jury will, I am sure, believe you without the ceremony of swearing you; you are a man of honour, and of high moral principle; your character will justify us from insisting on your oath." The witness, deceived by this mild and complimentary language, replied with mingled surprise and irritation, "I am happy, sir, to see you have changed the opinion you entertained of me when you were describing me awhile ago." "What, sir! then you confess it was a description of yourself! Gentlemen, act as you please, but I leave it to you to say whether a thousand oaths could bind the conscience of such a man as I have just described."

* It may be requisite to inform the English reader, that in the Irish courts there is no box for the witnesses. They are examined upon the table that stands on the floor of the Court, between the bar and the bench.

an apology would, in the eyes of his countrymen, have tarnished the lustre of his recent victory, and that it might have the effect of inviting future challenges whenever he should perform his duty with the necessary boldness, he deemed it more eligible to risk his life than his reputation. A duel accordingly followed; upon which occasion Mr. Curran not only established for himself a character for personal intrepidity (an acquisition of no small moment in a country where the point of honour has always been so sacredly observed), but afforded infinite entertainment to the by-standers, by a series of those sportive sallies, which, when the impulse was on him, no time or place could repress.* He declined returning Mr. St. Leger's fire: so that the affair, after a single shot, was terminated.

A more solemn and interesting scene soon followed. The poor priest was shortly after called away to another world. When he found that the hour of death was at hand, he earnestly requested that his counsel, to whom he had something of importance to communicate, might be brought into his presence. Mr. Curran complied, and was conducted to the bed-side of his expiring client. The humble servant of God had neither gold nor silver to bestow; but what he had, and what with him was above all price, he gave, the blessing of a dying Christian upon him who had employed his talents, and risked his life, in redressing the wrongs of the minister of a proscribed religion. He caused himself to be raised for the last time from his pillow, and, placing his hands on the head of his young advocate, pronounced over him the formal benediction of the Roman catholic church, as the reward of his eloquence and intrepidity. Mr. Curran had also the satisfaction of being assured by the lower orders of his countrymen, that he might *now* fight as many duels as he pleased, without apprehending any danger to his person. An assurance, which subsequently became a prophecy, as far as the event could render it one.

* When each had taken his ground, Mr. St. Leger called out to his adversary to fire: "No, sir," replied he, "I am here by your invitation, and you must open the ball."

A little after, Mr. Curran, observing the other's pistol to be aimed wide of its mark, called out in a loud voice, "Fire!" St. Leger, who was a nervous man, started, and fired: and having died not long after, was reputed in Munster to have been killed by the report of his own pistol.

Shortly after this trial, the successful orator was given to understand that his late triumph should cost him dear. As he was standing amidst a circle of his friends in one of the public streets of Cork, he was called aside by a person who brought him an intimation from Lord Doneraile, that in consequence of his late unprecedented conduct, he might expect never to be employed in future in any cause, where his lordship, or his extensive connexions, should have the power to exclude him. The young barrister answered with contemptuous playfulness, and in a voice to be overheard by every one; "My good sir, you may tell his lordship, that it is vain for him to be proposing terms of accommodation; for after what has happened, I protest I think, while I live, I shall never hold a brief for him or one of his family." The introduction of these particulars may almost demand an apology: yet it is often by little things that the characters of times and individuals are best displayed, as (according to an eminent English writer) "throwing up little straws best shows which way the wind lies."

Previous to this trial, Mr. Curran's fame, and practice, had been unusual for his standing; but after his display of eloquence and conduct upon this occasion, they increased with unprecedented rapidity. It was probably too with this event that originated his great popularity among the lower orders of the Irish, a feeling which a little time matured into an abounded veneration for his capacity, combined with a most devoted attachment to his person. Their enthusiasm in this instance can be scarcely conceived by such as have only witnessed the common marks of respect paid to ordinary favourites of the people. So much of his life, and so many of its proudest moments were passed in their presence, in the courts of Dublin, and on the circuit towns; his manners were so unaffectedly familiar and accessible, his genius and habits were so purely national, that the humblest of his countrymen, forgetting the difference of rank in their many common sympathies, fondly considered him *as one of themselves*, and cherished his reputation not more as a debt of gratitude to him, than as a kind of peculiar triumph of their own. These sentiments, which he never descended to any artifices to cultivate, continued unimpaired to his death, and will probably survive him many years.

In relating the steps by which Mr. Curran advanced to professional distinction, it would be an injustice to omit the support which he found in the friendship of the late learned and respected Lord Avonmore, then Mr. Yelverton, a leading counsel at the Irish bar. This excellent and rarely gifted man had himself risen from an humble station, and knowing, by experience, "how hard it is to climb," was ever most prompt in encouraging and assisting those whom he saw imitating his own honourable example. His friendship for Mr. Curran commenced in 1775 (through the father-in-law of the latter, Dr. Creagh, between whom and Mr. Yelverton an old and tender intimacy had subsisted); and, with the exception of a few intervals of temporary alienation from political differences, continued unimpaired to his death.

In one of Mr. Curran's latest efforts at the bar,* we find him fondly turning aside for a moment to indulge his respect for the judge and the scholar, and his gratitude to the friend of his younger years. The following is the character that he has drawn of Lord Avonmore. To strangers it may appear overwrought, but those who were familiar with the simple antique grandeur of mind that dignified the original, recognise the fidelity of the likeness.

"I am not ignorant that this extraordinary construction has received the sanction of another court, nor of the surprise and dismay with which it smote upon the general heart of the bar. I am aware that I may have the mortification of being told in another country of that unhappy decision, and I forsee in what confusion I shall hang down my head when I am told it. But I cherish, too, the consolatory hope, that I shall be able to tell them, that I had an old and learned friend, whom I would put above all the sweepings of their Hall, who was of a different opinion—who had derived his ideas of civil liberty from the purest fountains of Athens and of Rome—who had fed the youthful vigour of his studious mind with the theoretic knowledge of their wisest philosophers and statesmen—and who had refined that theory into the quick and exquisite sensibility of moral instinct, by contemplating the practice of their most illustrious examples—by dwelling on the sweet-souled piety of Cimon—

* Speech in the case of Mr. Justice Johnson, in the Court of Exchequer, where Lord Avonmore presided.

on the anticipated christianity of Socrates—on the gallant and pathetic patriotism of Epaminondas—on that pure austerity of Fabricius, whom to move from his integrity would have been more difficult than to have pushed the sun from his course. I would add, that if he had seemed to hesitate, it was but for a moment—that his hesitation was like the passing cloud that floats across the morning sun, and hides it from the view, and does so for a moment hide it, by involving the spectator without even approaching the face of the luminary.

Lord Avonmore was the person under whose auspices was formed, in the year 1779, a patriotic and convivial society; "The Monks of the Order of St. Patrick,"* which was in those days sufficiently celebrated, and composed of men such as Ireland could not easily assemble now. It was a collection of the wit, the genius, and public virtue of the country; and though the name of the society itself is not embodied in any of the national records, the names of many of its members are to be found in every page, and will be remembered, while Ireland has a memory, with gratitude and pride. The primary object of their association was to give her a constitution, and to nourish and diffuse among her people the spirit and intelligence which should render them worthy of

* Of this society, so interesting as connected with the most splendid era of Ireland's history, Mr. Hudson has kindly supplied the following notice and list of the original members.

This celebrated society was partly political and partly convivial: it consisted of two parts, professed and lay brothers. As the latter had no privileges, except that of commons in the refectory, they are unnoticed here. The professed (by the constitution) consisted of members of either house of parliament, and barristers, with the addition from the other learned professions of any number not exceeding one third of the whole. They assembled every Saturday in Convent, during term-time; and commonly held a chapter before commons, at which the abbot presided, or in his (very rare) absence, the prior, or senior of the officers present. Upon such occasions, all the members appeared in the habit of the order, a black tabinet domino. Temperance and sobriety always prevailed. A short Latin grace, 'Benedictus benedicat,' and 'Benedicto benedicatur*,' was regularly and gravely pronounced by the præcentor or chaplain, before and after commons.

It will be seen by the following list, that there were many learned men and men of genius in their number, and I may venture to say, that few productions (either in pamphlets or periodical publications) of any celebrity, during the arduous struggle for Irish emancipation, appeared, which did not proceed from the pen of one of the brethren. Nor did they forego their

* Since adopted as the grace of the King's Inns Society, in Dublin.

the gift; and when the day arrived, as it shortly did, when the rights to which they aspired were not to be gained without a strug-

labours, till by their prayers and exertions they attained emancipation for their country. The sad change which has taken place since their dispersion need not be related.

THE

MONKS OF THE ORDER OF ST. PATRICK,

COMMONLY CALLED

THE MONKS OF THE SCREW.

Assembled at their Convent in St. Kevin-street, Dublin, on and after September the 3d, 1779.

Members Names.

1. *Founder.* Barry Yelverton, Barrister, M. P. since Lord Viscount Avonmore, Lord Chief Baron.
2. *Abbot.* William Doyle, Barrister, Master in chancery.
3. *Prior.* John Philpot Curran, Barrister, since M. P. Privy Counsellor, and Master of the Rolls.
4. *Præcentor.* Rev. Wm. Day, S. F. T. C. D.
5. *Bursar.* Edward Hudson, M. D.*
6. *Sacristan.* Robt. Johnson, Barr. M. P. and since a Judge.*
7. Arran, the Earl of.
8. Barry, James, (painter), elected an honorary member, never joined.
9. Brown, Arthur, Barr, M. P. and F. T. C. D.
10. Burgh, Walter Hussey, Barr. Rt. Hon. and M. P. and since Chief Baron.
11. Burston, Beresford, Barr. and K. C. *
12. Carhampton, Earl of.
13. Caldbeck, William, Barr. and K. C.
14. Chamberlayne, W. Tankerville, Barr. M. P and since a Judge.
15. Charlemont, Earl of.
16. Corry, Rt. Hon. Isaac, M. P. and since Chancellor of the Exchequer
17. Daly, Rt. Hon. Denis, M. P.
18. Day, Robert, Barr M. P. and since a Judge.*
19. Dodds, Robert, Barr.
20. Doyle, John, M. P. and since a General in the army, and Bart.*
21. Dunkin, James, Barr.
22. Duquery, Henry, Barr. and M. P.
23. Emmet, Temple, Barr.
24. Finucane, Matthew, Barr. and since a Judge.
25. Fitton, Richard, Barr.
26. Forbes, John, Barr. M. P.

* Surviving.

gle, the leading members of the "Order of St. Patrick" may be seen conspicuous in the post of honour and of danger. Mr. Curran

27. Frankland, Richard, Barr. and K. C.
28. Grattan, Rt. Hon. Henry, Barr. and M. P.
29. Hacket. Thomas, Barr.
30. Hardy, Francis, Barr. and M. P. (Lord Charlemont's biographer.)
31. Harstonge, Sir Henry, Bart. and M. P.
32. Herbert, Richard, Barr. and M. P.
33 Hunt, John, Barr.
34. Hussey, Dudley, Barr. M. P. and recorder of Dublin.
35. Jebb, Frederic, M. D.
36. Kingsborough, Lord Viscount, M. P.
37. Mocawen, ——— Barr.
28. Martin, Richard, Barr. and M. P.
39. Metge, Peter, Barr. M. P. and since a Judge.
40. Mornington, Earl of.
41. Muloch, Thomas, Barr.
42. Newenham, Sir Edward, M. P.
43. Ogle, Rt. Hon. George, M. P.
44. O'Leary, Rev. Arthur, honorary.
45. O'Neal, Charles, Barr. K. C. and M. P.
46. Palliser, the Rev. Doctor, Chaplain.
47. Pollock, Joseph, Barr.
48. Ponsonby, Rt. Hon. George, Barr. M. P. and since Chancellor of Ireland.
49. Preston, William, Barr.
50. Ross, Lieut. Col. M. P.
51. Sheridan, Charles Francis, Barr. M. P. and Secretary at War.
52. Smith, Sir Michael, Bart. Barr. M. P. and since Master of the Rolls.
53. Stawel, William, Barr.
54. Stack, Rev. Richard, F. T. C. D.
55. Townshend, Marquis of.*
56. Woolfe, Arthur, Barr. M. P. and since Lord Viscount Kilwarden, Chief Justice King's-Bench.

The society dwindled away towards the end of the year 1795.

Shortly after the formation of this club, Mr. Curran, having been one evening called upon for a song, gave one of his own composition, which was immediately adopted as the charter song of the order. The following are all the verses of it that have been recollected.

When St. Patrick this order established,
He called us the "Monks of the Screw;"
Good rules he revealed to our Abbot
To guide us in what we should do.
But first he replenished our fountain
With liquor, the best in the sky;
And he swore, on the word of a saint,
That the fountain should never run dry.

Each year, when your octaves approach,
In full chapter convened let me find you;
And, when to the convent you come,
Leave your fav'rite temptation behind you.

* Elected, professed, and joined on his visit to Dublin, after his vice royalty.

always bore a distinguished part in their meetings; it was to them, and to the many happy and instructive hours he had passed there, that he so pathetically alluded in the fine burst of social enthusiasm which immediately follows the passage above cited. "And this soothing hope I draw from the dearest and tenderest recollections of my life—from the remembrance of those attic nights, and those refections of the gods, which we have spent with those admired, and respected, and beloved companions, who have gone before us; over whose ashes the most precious tears of Ireland have been shed. [Here Lord Avonmore could not refrain from bursting into tears.] Yes, my good lord, I see you do not forget them. I see their sacred forms passing in sad review before your memory. I see your pained and softened fancy recalling those happy meetings, where the innocent enjoyment of social mirth became expanded into the nobler warmth of social virtue, and the horizon of the board became enlarged into the horizon of man—where the swelling heart conceived and communicated the pure and generous purpose—where my slenderer and younger taper imbibed its borrowed light from the more matured and redundant fountain of

And be not a glass in your convent,
Unless on a festival, found;
And, this rule to enforce, I ordain it
One festival all the year round.

My brethren, be chaste, till you're tempted;
Whilst sober, be grave and discreet;
And humble your bodies with fasting,
As oft as yon've nothing to eat.
Yet, in honour of fasting, one lean face
Among you I'll always require;
If the Abbot should please, he may wear it,
If not, let it come to the Prior*.

* * * * * *

Come, let each take his chalice, my brethren,
And with due devotion prepare,
With hands and with voices uplifted
Our hymn to conclude with a prayer.
May this chapter oft joyously meet,
And this gladsome libation renew,
To the Saint, and the Founder, and Abbot,
And Prior, and Monks of the Screw!

* Mr. Doyle, the Abbot, had a remarkable large full face: Mr. Curran's was the very reverse.

yours. Yes, my lord, we can remember those nights without any other regret than that they can never more return, for

> "We spent them not in toys, or lust, or wine,
> But search of deep philosophy,
> Wit, eloquence, and poesy,
> Arts which I loved, for they, my friend, were thine."*
>
> COWLEY.

Lord Avonmore was one of those men in whom a rare intellect and vast acquirements are found united with the most artless unsuspecting innocency of nature. Whatever the person in whom he confided asserted, he considered to be as undoubted as if he had uttered it himself. His younger friend, aware of this amiable imperfection, used often to trifle with it, and, in moments of playful relaxation, to practise harmless impositions upon his lordship's credulity. His ordinary artifice was to touch his sensibility, and thus excite his attention by relating in his presence some affecting incident, and then, pretending to be unconscious that his lordship was listening, to proceed with a detail of many strange and improbable particulars, until he should be interrupted, as he regularly was, by the good judge's exclaiming, "Gracious heavens! sir, is it possible? I have overheard all those most truly amazing circumstances, which I could never have believed, if they did not come from such good authority." His lordship at length discovered the deception, and passing into the opposite extreme, became (often ludicrously) wary and incredulous as to every thing that Mr. Curran stated. Still, however, the latter persisted, and, quickening his invention as the difficulties increased, continued from year to year to gain many a humorous triumph over all the defensive caution of his friend. Even upon the bench, Lord Avonmore evinced the same superstitious apprehension of the advocate's ingenuity, whom he

* Lord Avonmore, in whose breast political resentment was easily subdued, by the same noble tenderness of feeling which distinguished the late Mr. Fox upon a more celebrated occasion, could not withstand this appeal to his heart. At this period (1801) there was a suspension of intercourse between him and Mr. Curran; but the moment the court rose, his Lordship sent for his friend, and threw himself into his arms, declaring that unworthy artifices had been used to separate them, and that they should never succeed in future.

would frequently interrupt, sometimes in a tone of endearment, sometimes of impatience, saying, "Mr. Curran, I know your cleverness; but it's quite in vain for you to go on. I see the drift of it all, and you are only giving yourself and me unnecessary trouble." Upon one of these occasions, the judge having frequently interposed to prevent the counsel's putting forward some topic that was really relative and necessary to his case, declaring, as often as it was attempted, that the tendency of his argument was quite obvious, and that he was totally straying from the question, Mr. Curran addressed him thus: "Perhaps, my lord, I am straying; but you must impute it to the extreme agitation of my mind. I have just witnessed so dreadful a circumstance, that my imagination has not yet recovered from the shock." His lordship was now all attention.—"On my way to court, my lord, as I passed by one of the markets, I observed a butcher proceeding to slaughter a calf. Just as his hand was raised, a lovely little child approached him unperceived, and, terrible to relate—I still see the life-blood gushing out, the poor child's bosom was under his hand, when he plunged his knife into—into"——"Into the bosom of the child!" cried out the judge, with much emotion—"Into the *neck of the calf*, my lord; but your lordship sometimes anticipates."

There are no reports of Mr. Curran's early speeches at the bar; but the celerity of his ascent to distinction in his profession, and in the public estimation, may be inferred from the date of his entrance into parliament. He had been only seven years at the bar, when Mr. Longfield (afterwards Lord Longueville) had him returned for a borough in his disposal.* At this time boroughs were the subject of notorious traffic, and it seldom happened that the members returned for them did not bind themselves to remunerate the patrons in money or in services. There was no such stipulation in the present instance: the seat was given to Mr. Curran upon the express condition of perfect freedom on his part; but having soon differed from Mr. Longfield on political subjects, and there being

* The borough of Kilbeggan, for which the other member was the celebrated Mr. Flood. It was also about this period that Mr. Curran obtained a silk gown.

then no way of vacating, he insisted upon purchasing a seat, to be filled by any person whom that gentleman should appoint; an arrangement against which, it is but justice to add, that Mr. Longfield anxiously endeavoured to dissuade him.*

* In the succeeding parliament Mr. Curran also came in, at his own expense, for the borough of Rathcormack.

CHAPTER V.

The Irish House of Commons in 1783—Sketch of the previous history of Ireland—Effects of the revolution of 1688—Catholic penal code—System of governing Ireland—Described by Mr. Curran—Intolerance and degradation of the Irish parliament—Change of system——Octennial bill—American revolution—Its effects upon Ireland—The Irish volunteers—Described by Mr. Curran—Their numbers, and influence upon public measures—Irish revolution of 1782—Mr. Grattan's public services—Observations upon the subsequent conduct of the Irish parliament.

It was at the eventful era of 1783, that Mr. Curran became a member of the Irish House of Commons, an assembly at that day thronged with groups of original historic characters,* the vigorous

* Of some of these, Mr. Grattan (in his answer to Lord Clare's pamphlet, 1801) has given the following masterly sketches, over which he has, perhaps unconsciously, distributed the noble traits, which if collected, would form the portrait of himself.

"I follow the author through the graves of these honourable dead men, for most of them are so, and I beg to raise up their tombstones as he throws them down; I feel it more instructive to converse with their ashes than with his compositions.

"Mr. Malone,* one of the characters of 1753, was a man of the finest intellect that any country ever produced. 'The three ablest men I have ever heard were Mr. Pitt (the father), Mr. Murray, and Mr. Malone. For a popular assembly I would choose Mr. Pitt; for a privy council, Murray; for twelve wise men, Malone.' This was the opinion which Lord Sackville, the secretary of 1753, gave to a gentleman from whom I heard it. 'He is a great sea in the calm,' said Mr. Gerrard Hamilton, another great judge of men and talents: 'Ay,' it was replied, 'but had you seen him when he was young, you would have said he was a great sea in a storm.' And like the sea, whether in calm or storm, *he was a great production of nature.*

"Lord Pery.—He is not yet canonized by death; but he, like the rest, has been canonized by slander. He was more or less a party in all those measures which the pamphlet condemns, and indeed in every great statute and measure that took place in Ireland for the last fifty years. A man of the most legislative capacity I ever knew, and the most comprehensive reach of understanding I ever saw; with a deep engraven impression of public care, accompanied by a temper which was adamant. In his train is every private virtue that can adorn human nature.

"Mr. Brownlow; Sir William Osborne. I wish we had more of these criminals. The former seconded the address of 1782, and in the latter, and in both, there was a station of mind that would have become the proudest senate in Europe.

"Mr. Flood; my rival, as the pamphlet calls him: and I should be unworthy the character of his rival, if in his grave I did not do him justice.—He had his faults; but he had great powers, great public effect; he per-

* Mr. Malone was no more in 1783, but his portrait is preserved, that the group might not be disturbed.

product of unsettled times; great public benefactors, great public delinquents, but both of rare capacity and enterprise, and exhibiting in their virtues or their crimes all the turbulent energy of the storms that were agitating their country. The Irish revolution of 1782, with the memorable acts and deliberations of which period the political history of Ireland commences, had just taken place; and although it preceded by a little time Mr. Curran's entrance into parliament, it still cannot but be adverted to as an event which had a powerful influence upon the fortune and conduct of his future life. He was of too ardent a temper not to be deeply moved by the circumstances which accompanied that measure: he was the familiar friend of the eminent parliamentary leaders who had been so instrumental in achieving it; he had witnessed the virtuous struggles and the scenes of civic heroism displayed by them and by the nation at this arduous crisis; and the impression that they made upon

suaded the old, he inspired the young; the Castle vanished before him. On a small subject he was miserable: put into his hand a distaff, and, like Hercules, he made sad work of it: but give him the thunderbolt, and he had the arm of a Jupiter. He misjudged when he transferred himself to the English parliament; he forgot that he was a tree of the forest, too old and too great to be transplanted at fifty; and his fate in the British parliament is a caution to the friends of union to stay at home, and make the country of their birth the seat of their action.

"Mr. Burgh; Another great person in those scenes which it is not in the little quill of this author to depreciate. He was a man singularly gifted, with great talent, great variety—wit, oratory, and logic. He too had his weakness; but he had the pride of genius also, and strove to raise his country along with himself, and never sought to build his elevation on the degradation of Ireland.

"I moved an amendment for a free export; he moved a better amendment, and he lost his place. I moved a declaration of rights; 'With my last breath will I support the right of the Irish parliament,' was his note to me when I applied to him for his support; he lost the chance of recovering his place and his way to the seals, for which he might have bartered. The gates of promotion were shut on him as those of glory opened.

"Mr. Daly; my beloved friend. He in a great measure drew the address of 1779, in favour of our trade, that 'ungracious measure;' and he saw, read, and approved of the address of 1782 in favour of our constitution, that 'address of separation.' He visited me in my illness at that moment, and I had communication on those subjects with that man whose powers of oratory were next to perfection, and whose powers of understanding I might say, from what has lately happened, bordered on the spirit of prophecy.

"Mr. Forbes; A name I shall ever regard, and a death I shall ever deplore. Enlightened, sensible, laborious, and useful; proud in poverty, and patriotic: he preferred exile to apostacy, and met his death. I speak of the dead—I say nothing of the living; but that I attribute to this constellation of great men, in a great measure, the privileges of your country; and I attribute such a generation of men to the residence of your parliament."

his imagination and his conviction was never after effaced. In order therefore fully to comprehend the feelings with which he entered upon his duties as an Irish senator, it will be necessary to make a few observations upon the condition in which he found his country, and upon that from which she had recently emerged. The fervour of his political opinions, and his devoted adherence to the popular cause, exposed him at different periods of his life to no little calumny and reproach; but those who impartially consider the past and cotemporary history of Ireland will find in every page of it, his excuse, if not his most ample justification.

For centuries Ireland had been in a state of miserable bondage; her history is but the disgusting catalogue of her sufferings, exciting to unprofitable retaliation, from which she regularly sunk, subdued but untranquilized, into a condition of more embittered wretchedness,* with the penalties of rebellion superadded to the calamities of oppression. From the period of her annexation to England in the 12th century, down to the close of the 17th, she had thus continued, barbarous and restless; too feeble and disunited to succeed, too strong, and proud, and irritated to despair; alternating in dreary succession between wild exertions of delirious strength and the troubled sleep of exhausted fury. It would be foreign to the present purpose to enter into the merits of these melancholy conflicts; to grope amidst uninteresting records, to ascertain whether Ireland as an unruly province deserved her fate, or whether her condition was attributable to an inveterate spirit of vindictive domination in the English governments. But as we approach more modern times, all obscurity on the subject ceases: we find the ruling country adopted a formal avowed design of humiliation, which, however applauded (as it still continues to be by some) under the imposing phrase of the "wisdom of our ancestors," was, in reality, founded in much injustice, and if effects be any test, in as much folly; and after agitating and afflicting the kingdom for the last century, seems likely to visit in its consequences the next.

* "The slave, that struggles without breaking his chain, provokes the tyrant to double it, and gives him the plea of self-defence for extinguishing what at first he only intended to subdue." Mr. Curran's speech in Howison's case.

It was immediately after the revolution of 1688, that era of glory and freedom to England, that Ireland became the victim of this systematic plan of debasement. Her adherence to the deposed monarch and its result are familiar to all. James's party having been crushed, Ireland was treated as a conquered country, that merited nothing but chastisement and scorn. This was not the policy of the English king; it was that of the English whigs,* the framers of the Bill of Rights, the boasted champions of liberty at home. By these men, and by their successors (who, of whatever political denomination, agreed with them in their intolerance,) was Ireland, without shame or pity, dismantled of her most precious rights. Laws were made to bind her, without consulting the Irish parliament, which, when it remonstrated, was charged with riot and sedition.† Ireland's commerce was openly discouraged: a code more furious than bigotry had hitherto penned was levelled against the mass of the nation, the Roman Catholics.‡ They were successively excluded from the right to sit in parliament, to acquire land, to hold any employment under the crown, to vote in elections of members of parliament, to intermarry with protestants, to exer-

* "I am sorry to reflect that since the late revolution in these kingdoms, when the subjects of England have more strenuously than ever asserted their own rights and the liberty of parliaments, it has pleased them to bear harder on their poor neighbours than has ever yet been done in many ages foregoing."—*Molyneux's Cause of Ireland.*

This little volume, written throughout with a modesty and ability worthy of the friend of Locke, was formally censured by the English House of Commons. A circumstance that preceded its publication is not without interest. The author, apprehensive of any unconscious bias upon his mind, wrote to his friend for his opinion of some of the arguments; Locke replied by inviting him to pass over to England, and confer with him in person upon the subject. Molyneux complied, and after spending, as the account states, and as may be well believed, the five most delightful weeks of his life in the society of his illustrious friend, returned to Dublin and published his work.

† When the Irish commons in 1792 claimed the right of originating money bills, they were told by the viceroy, Lord Sydney, that "They might go to England and beg their majesties' pardon for their riotous and seditious assemblies."

‡ "You abhorred it, as I did, for its vicious perfection; for I must do it justice, it was a complete system, full of coherence and consistency, well digested and well composed in all its parts. It was a machine of wise and elaborate contrivance, and as well fitted for the oppression, impoverishment, and degradation of a people, and the debasement in them of human nature itself, as ever proceeded from the perverted ingenuity of man."—*Burke's Letter to Sir H. Langrishe.*

cise religious worship; in short, by a kind of constructive annihilation, "the laws did not presume a papist to exist in the kingdom, nor could they breathe without the connivance of government."*

This state of national humiliation lasted almost a century. Viceroy succeeded viceroy with no other rule of government than to continue the system as he found it. A race of subordinate ministers sprang up within the land of no public virtue, no expanded thought, utterly unconscious that man can be improved; exhibiting in their heartless measures that practical ferocity for which jailors or keepers would be selected, rather than those mild and sanative qualities that might have soothed the distempers of the times. "Hence it is," said Mr. Curran, speaking of this period, "that the administration of Ireland so often presents to the reader of her history, not the view of legitimate government, but rather of an encampment in the country of a barbarous enemy, where the object of an invader is not government but conquest; where he is of course obliged to resort to the corrupting of clans, or of single individuals, pointed out to his notice by public abhorrence, and recommended to his confidence only by a treachery so rank and consummate as precludes all possibility of their return to private virtue or to public reliance, and therefore only put into authority over a wretched country, condemned to the torture of all that petulant unfeeling asperity with which a narrow and malignant mind will bristle in unmerited elevation; condemned to be betrayed, and disgraced, and exhausted by the little traitors that have been suffered to nestle and grow within it; who make it at once the source of their grandeur and the victim of their vices; reducing it to the melancholy necessity of supporting their consequence and of sinking under their crimes, like the lion perishing by the poison of a reptile that finds shelter in the mane of the noble animal, while it is stinging him to death"†

Ireland was in those times in as strange and disastrous a situation as can well be imagined; her own legislature hating and trampling upon her people, and the English government suspecting and des-

* Such was the declaration from the bench of the Irish chancellor in 1759.
† Mr. Curran's speech in Howison's case.

pising both. There may have been sufficient intricacy in the minor details of the policy of the time, but the leading maxims appear in all the clearness of despotic simplicity. They were to awe the real or imputed disaffection of the natives by means of a harsh domestic administration, and to check any more general exercise of power assumed by that administration as an intrusion upon the legislative supremacy of England. As far as respected internal concerns, the Irish lords and commons were a triumphant faction, despoiling and insulting the remains of a fallen enemy: in their relation with England they were miserable instruments, without confidence or dignity; armed by their employers with the fullest authority to molest or to crush, but instantly and contemptuously reminded of their own degradation, if ever they evinced any presumptuous desire to redress.

Against so unnatural a system, it is no wonder that the discountenanced claims of freedom should have no avail. If a transient scream was heard among the people, it excited immediate alarm at home, as ominous of an approaching storm;* if her voice issued, as it sometimes did, from the Irish commons, it was considered a daring invasion of the rights of a higher power.† If the spirit of that house became too unruly for provincial purposes, the patriotic murmur was quickly hushed by lengthening the pension list; a given number of oppressors was required, and while a venal heart was to be had in the market, no matter how high the price, the price was paid, and the nation called on (in addition to its other burdens) to defray the expenses of its own wrongs.

Thus it continued for many years; with all the miseries of despotism without its repose: commerce extinguished, the public spirit broken, public honour and private confidence banished, and bigotry and faction alone triumphant.

* Upon the trial of the printer of Swift's celebrated Letters of a Drapier, the lord chief-justice, Whitshed, declared that the author's intention was to bring in the Pretender.—*Plowden's History of Ireland*, vol. ii. p. 81.

Dr. Lucas, who ventured in his writings to vindicate the rights of the Irish commons, was declared by that house an enemy to his country, and obliged to seek for safety in exile, 1747.

† Vide question of the appropriation of the surplus, in 1753.

Sentiments of wisdom and pity at length occurred to the English cabinet: it began to doubt if the Irish people were so incurably furious as their tormentors had represented; it resolved to inquire, and if necessary, to redress. A very little investigation proved that never was some merciful interposition more opportune; it was like a visit to some secret cell to rescue the victims of imputed frenzy from their inhuman immurers, who had chained their persons and traduced their intellects, that they might prey upon their inheritance.

The subject of the first healing measure was the parliament. There was no representation of the people in Ireland: there was a house of commons, which, having no limits to its duration, had become a banditti of perpetual dictators.* The octennial bill was passed, and the hardened veterans disbanded.† This was not for the purpose of making even a nominal appeal to the sense of the nation; it was to give the crown an opportunity of dispersing that provincial oligarchy whose maxims had been so ruinous to their country, and of substituting in their place a class of more pliant dependants, who might readily accord with the purposed lenity of the new system. As a right, or a security for a right, which nothing can give a people if they give it not themselves, this act effected little. As a diminution of calamity, as a transfer from the barbarous dominion of their domestic tyrants to the more considerate and enlightened control of the English ministry, it had its value. It was received by the nation, who have been ever as precipitate in their gratitude as in their resentments, with transports of enthusiastic and unaccustomed joy; a signal proof, if such were wanting, of their loyalty and their debasement.

The Irish house of commons, however, began now to wear in some degree the appearance of a constitutional assembly; notwithstanding the political ignominy into which the nation had fallen, there still existed in that house a small band of able and upright men, who entertained more manly and charitable notions of a people's claims than their ungenerous opponents; and who, though

* And four-fifths of the people were excluded from the elective franchise by the 1st Geo. II. c. 9.

† 1767, under the administration of Lord Townshend.

they might not possess the power of redressing the immediate wrongs, were still ever at hand to refute the baneful doctrines that would have sanctioned their continuance. In the British senate too (it should be gratefully remembered) Ireland had her advocates; whose expanded minds, superior to the paltry ambition of domination, would have made the noblest use of their own privileges, that of liberally imparting them. The consequences of these better opinions occasionally appeared; the viceroy was defeated upon some constitutional questions;* the commons were reprimanded and prorogued; measures full of honour to them, and of hope to their country.

But these were only transitory visitations of spirit; the effects rather of the negligence than the weakness of the viceroy. The ranks of the opposition were soon thinned by the never failing expedient, and whatever relief was meditated for the Irish, was to come in the form of a gift, and not a concession. Relief was certainly in the contemplation of the English minister, (Lord North) to what extent it is now immaterial to inquire; he was anticipated by events that were above his control.

Ireland was now upon the eve of "a great original transaction." The American colonies had revolted; the Irish linen trade with those provinces, which had been the principal of Ireland's few sources of commercial wealth, instantly vanished; to this was added a general embargo upon the exportation of provisions, lest they might circuitously reach the insurgents. Universal distress ensued. The commons, for the first time, assumed the attitude of representatives of the nation: they addressed the viceroy upon the public emergencies with dignity and firmness, and were dissolved in 1777. Strenuous measures were taken by the government to secure a majority in the parliament that followed; but the crisis soon arrived when the destinies of the country were transferred to other hands.

The internal wretchedness of Ireland had been great; it was now aggravated by the dangers of war: the regular forces in the kingdom

* Among other instances of the increasing spirit of the house of commons, was their repeated rejections of money bills, *because they did not take their rise in that house*, 1769.

exceeded not 5,000 men, the remainder having been called off to recruit the army in America. The enemy's fleets, superior to that of Great Britain, were careering in triumph through the channel, and daily expected upon Ireland's unprotected coasts. In this emergency, the town of Belfast, having applied to government for a military reinforcement, and its requisition having been answered by an offer of supply that cannot be related with gravity,* had the honour of first raising that warning voice, which, hushing every baser murmur, awoke the nation to confidence and strength. She called upon her citizens to arm in their defence. A corps of volunteers was immediately established. The noble example was ardently followed by the country at large, and Ireland soon beheld starting up with a scenic rapidity, a self collected, self disciplined body of forty thousand volunteers. "You cannot but remember," said Mr. Curran, describing this scene, of which he had been a witness, "that at a time when we had scarcely a regular soldier for our defence, when the old and young were alarmed and terrified with apprehensions of descent upon our coasts, that Providence seemed to have worked a sort of miracle in our favour. You saw a band of armed men come forth at the great call of nature, of honour, and their country. You saw men of the greatest wealth and rank; you saw every class of the community give up its members, and send them armed into the field, to protect the public and private tranquillity of Ireland. It is impossible for any man to turn back to that period, without reviving those sentiments of tenderness and gratitude which then beat in the public bosom; to recollect amidst what applause, what tears, what prayers, what benedictions, they walked forth amongst spectators agitated by the mingled sensations of terror and of reliance, of danger and of protection, imploring the blessings of heaven upon their heads, and its conquest upon their swords. That illustrious, and adored, and *abused* body of men stood forward and assumed the title which I trust the ingratitude of their country will never blot from its history, 'The volunteers of Ireland."†

* The answer of the government was, that all the assistance it could afford was half a troop of dismounted horse, and half a company of invalids.

† Speech in Hamilton Rowan's case.

The original object of these associations had been to defend the country from foreign invasion. The administration, forgetting the loyalty of the proceeding in their affright at so unexpected an exhibition of strength and enterprise, beheld an enemy already in possession of the land, but affecting to countenance what they could not control, they supplied the volunteers with several thousand stands of arms, and looked to the return of more tranquil and servile times, to disarm and defame them.

The volunteers soon swelled into an army of 80,000 men. In their ranks appeared the most admired characters in the kingdom, animating them with the enthusiasm, and tempering the general ardour by all the courtesy, and the high moral discipline, that the presence of so many noblemen, and senators, and gentlemen could inspire. They had armed to protect the crown—no invader appeared; another and a more precious object of protection now remained. Ireland was at their disposal, and they unanimously determined that, to consummate their work, they should continue under arms until they saw her free. They resolved "to show, that if man descends, it is not in his own proper motion; that it is with labour and with pain, and that he can continue to sink only until by the force and pressure of the descent, the spring of his immortal faculties acquires that *recuperative* energy and effort, that hurries him as many miles aloft."*

The demands of the volunteers were altogether unlike a mere sudden ebullition of popular discontent. They were the result of deep convictions, the splendid signs of the improved opinions of the age. The example of America was before them, and the cry for redress in Ireland was but the echo of that "voice which shouted to liberty"† there. The mode of their constitution, too, was peculiarly fortunate and authoritative. They were not a regular military force, mutinously dictating measures to the state; they were not a band of insurgents, illegal in their origin and objects. The circumstances of the times had invested the volunteers with a constitutional character. The government had recognised them, and aided their formation; the House of Commons voted them a

* Mr. Curran's speech in Finnerty's case.

† An expression of Mr. Flood's.

formal declaration of thanks for their public services; the people looked up to them with admiration and respect, as a brave, united, and zealous body, combining the intelligence and moderation of loyal citizens, with the influence and resources of a powerful army.

The effects of the firmness and wisdom of their proceedings were soon apparent. The demand of the nation for a free trade, and the memorable declaration in parliament, "*that no power on earth, save the King, Lords, and Commons of Ireland, had a right to make laws for Ireland,*"* were no longer disregarded. The case of America had just shown how a struggle for principle might terminate.—"British supremacy had fallen there like a spent thunderbolt."† The bigotry, and servility, and disunion, which so long supported it in Ireland, had for the moment disappeared. Ireland declared, and England felt, that no other policy remained, "but to do justice to a people, who were otherwise determined to do justice to themselves."‡ The British ministry, whose infatuated counsels had lost America, and whose tardiness and insincerity with respect to Ireland had been encouraging the spirit of resistance there, were removed, and successors appointed with instructions to make such honourable concessions as were due to the services, the strength, and the just pretensions of the Irish people. The principal restrictions upon the trade of Ireland had been previously taken off. Under the Marquis of Rockingham's administration, the great leading grievance, that included in its principle so many more, was redressed. England resigned her legislative pretensions, and recognised Ireland to be a *free nation.*§

This signal event, so justly denominated by Mr. Burke the Irish revolution, was the work of the Irish volunteers. Their efforts were powerfully aided by the momentary spirit which they infused into the Irish House of Commons. In many of its members, the enthusi-

* The words of Mr. Grattan's motion, April 19, 1780.

† Mr. Grattan's speech, Nov. 13, 1781.

‡ Mr. Grattan's speech, April 19, 1780.

§ 1782.—Several important constitutional acts were passed in Ireland during this short administration. A habeas corpus act, the repeal of the perpetual mutiny bill, the act for the independence of the judges, an act in favour of the dissenting protestants. A slight relaxation of the penal code had taken place in 1778.

asm vanished with the occasion; but there remained a few, whose better natures, superior to the control of accident, continued to struggle for the public good with a constancy, ability, and zeal, which sprang from within themselves. Their merits have been long since recorded: the pre-eminent merits of their illustrious leader, now associated with the proudest recollections of his country, require new attestation. For Mr Grattan's most splendid panegyric, for the only one truly worthy of him, we are to look in what he has himself pronounced. His public exertions, the monuments of his genius and his worth, are preserved; his historian will have but to collect and refer to them, justly confiding, that as long as eloquence, patriotism, intrepidity and uncompromising honour are valued in public men, the example of Mr. Grattan will remain the subject of lasting gratitude and praise.*

The triumph which Ireland gained in the declaration of her independence was the triumph of a principle, which, however glorious it might have been to those who achieved it, failed to confer upon the nation the benefit and repose that the political philanthropist fondly anticipated. The spirit of the parliament was exhausted in the single effort—they had emancipated themselves from the control of another legislature; but no sooner was the victory obtained,

* Mr. Grattan, like other men of original genius and character, has been many times in the course of his memorable career misrepresented and reviled. The following spirited defence of him against such attacks was made in the Irish House of Commons, by his friend Mr. Peter Burroughs, a gentleman, who has been long distinguished for his eloquence in the senate, and at the bar, and for the unsuspected purity of his public and private life, "I cannot repress my indignation, at the audacious boldness of the calumny, which would asperse one of the most exalted characters which any nation ever produced; and that in a country which owes its liberty, and its greatness, to the energy of his exertions, and in the very house which has so often been the theatre of his glorious labours, and splendid achievements. I remember that man the theme of universal panegyric—the wonder and the boast of Ireland, for his genius and his virtue. His name silenced the sceptic, upon the reality of genuine patriotism. To doubt the purity of his motives was a heresy which no tongue dared to utter. Envy was lost in admiration; and even those whose crimes he scourged, blended extorted conpraises with the murmurs of resentment. He covered our (*then*) unfledged stitution with the ample wings of his talents, as an eagle covers her young; like her he soared, and like her could behold the rays, whether of royal favour, or royal anger, with undazzled, unintimidated eye. If, according to Demosthenes, to grow with the growth, and decay with the decline of our country, be the true criterion of a good citizen, how infinitely did this man, even in the moment of his lowest depression, surpass those upstart patriots who only become visible when their country vanishes!'

than it became evident that very few of its fruits were to be shared among the people. Great domestic abuses still prevailed; the corrupt state of the legislature;* its consequence, an enormous and increasing pension list; and, above all, the exclusion of the Roman Catholics from the most valuable privileges of the constitution.—There were many others of subordinate importance. From Mr. Curran's entrance into parliament, he joined those whose opinion it was that these abuses should be corrected. The result of the exertions of himself and the party with which for the fourteen years that he was a senator, he acted, is shortly told. They almost uniformly failed in every measure that they brought forward or opposed. It would far exceed the limits and the objects of this work to discuss at any length the merits of these several measures, some of which continue to this day the subject of anxious controversy upon another and a greater theatre. Yet it may be observed, that the acts of the Irish legislature during the period in question afford matter, if not of a very attractive kind, at least of very solemn and important instruction. Whoever takes the pains to examine them will find how transitory, and almost valueless to a nation the glory of asserting nominal rights, if there be not diffused throughout its various classes that fund of conservative virtue and spirit, which alone can give dignity and stability to its independence, by operating as a perpetual renewal of its claims. He will find one practical and terrible example (illustrated by continued discontents and disturbances, and finally by a rebellion) of the folly of expecting that human beings, in whom the political passions have been once awakened, can be attached, or even reconciled, to the most admired form of government, by any other means, than by a real and conscientious communication of those privileges, for which they would deem it dishonourable not to thirst. For the last eighteen years of her separate existence, Ireland was in the theoretic enjoyment of the same constitution which has long made Great Britain the wonder of other nations; but in Ireland, howev-

* According to a table of the state of the representation of Ireland, published in 1783, out of the 300 members of the House of Commons, (viz. for 32 counties, 64 knights; for seven cities, 14 citizens; for one university, two representatives: for 110 boroughs, 220 burgesses), the people returned 81, including the 64 for counties, and the patrons the remaining 219.

er boasted the acquisition, it soon appeared to be but a lifeless copy, minutely exact in external form, but wanting all the vigour, and warmth, and imparting spirit of the glorious original. The Irish legislature, seduced by their fatal ardour for monopoly, would not see that their own emancipation had sent abroad a general taste for freedom, which it was most perilous to disappoint. Unwisely and ungenerously separating their interests and pride from those of their country, they preferred taking a weak and hostile position upon the narrow ground of exclusive privilege, instead of taking their stand, where there was ample space for the parliament and people, and for all, upon the base of the British constitution.* They affected to think that the time had not arrived when the Catholic could be trusted; as if the enjoyment of rights and confidence for a single year would not prove a more instructive school of fidelity than centuries of suspicion and exclusion. But in reality it does not appear from the transactions of those times, that the minds of the excluded Catholics were less matured for all the responsibilities of independence than those of the Irish aristocracy, upon whom alone the recent revolution had conferred it. The 80,000 volunteers, who had been the instruments of that independence, were not a protestant association. The depreciated Catholic was in their ranks, adding the authority of his strength, his zeal, and his moderation, to the cause of the Irish parliament, and not unreasonably confiding, that in the hour of victory his services would be remembered. These services and claims were however forgotten; and here it is that the Irish legislature will be found utterly unworthy of that controlling power, which they had lately acquired over the destinies of their country—in abandoning as they did, a proud, irritated, and robust population, to all the contingent suggestions and resources of their indignation—in not having "interposed the constitution," to save the state.

* "I have read," said Mr. Curran, speaking of these unpopular maxims of the Irish Parliament, "I have read the history of other nations. I have read the history of yours. I have seen how happily you emerged from insignificance, and obtained a constitution. But when you washed this constitution with the waters which were to render it invulnerable, you forgot that the part by which you held it was untouched by the immersion; it was benumbed and not rendered invulnerable, and should therefore attract your nicest care.—*Irish Par. Deb.* 1787.

But the point of view, in which a regular history of the latter conduct and character of the Irish House of Commons would supply matter of no ordinary interest to a lover of the British constitution, is in the example which it would afford, of an assembly, founded upon the model of that constitution, exhibiting itself in its stage of final deterioration. In Ireland the prediction of Montesquieu* has been verified—not in all its dismal extent, for Irish independence has found an *euthanasia* peculiar and accidental; but still the spectacle of legislative immorality, and its instructive warnings, are the same. The corrupted Commons of Ireland surrendered all that was demanded—all that a few years before they had gloried in having acquired; and if a valuable portion of their country's rights and hopes was not included in the sale, the praise of having respected them is due to the wisdom and mercy of the purchasers, and not to any honourable reluctance on the side of the mercenary sellers. In whatever light the act of union be viewed, in its ultimate consequences to the empire, the assembly which perpetrated it must be considered as having reached the farthest limits of degeneracy; because the terms on which they insisted have stamped upon them a character of political dishonour, that disdained every control of compunction or of pride. For if the surrender to which they consented was regarded by them as a sacrifice of Ireland's rights, how enormous and unmitigated the delinquency!—or if, on the other hand, they imagined it to be essential to the welfare of the empire, how vile and fallen that spirit which could degrade a necessary act of state into a sordid contract! The parliament that could do this had no longer any morals to lose—and therefore it is that the constitutional Englishman, who is labouring to procrastinate the fulfilment of the prophecy that impends over his own hitherto more fortunate country, is referred for abundant illustrations of the apprehended crisis to the decline and fall of the Irish legislature. In contemplating that scene, he will have an opportunity of observing the great leading symptoms, and (which may equally deserve his attention) of discerning the minute, but no less unerring signs which portend that the spirit which gives it life is about to depart from the

* "That the British constitution would not survive the event of the legislative power becoming more corrupt than the executive."—*Spirit of Laws.*

representative body: and should it ever be his calamity to witness, what he will find Ireland was condemned to see, the members of that body betraying, by their conduct and language, that they held their station as a portion of their private property, rather than as a temporary, public trust—should he observe a general and insatiate appetite for power, for the sake of its emoluments and not its honours—should he see, as Ireland did, grave and authenticated charges of public delinquency answered by personal menaces, or by most indecent ridicule—skilful duellists and jesters held in peculiar honour—public virtue systematically discountenanced, by imputing its profession to a factious disappointed spirit—should he see, within the walls of the Commons' assembly, a standing brigade of mercenaries, recognising no duty beyond fidelity to their employers, the swiss defenders of any minister or any principle—should he, lastly, observe a marked predilection for penal restraints, an unseemly propensity to tamper with the constitution, by experimental suspensions of its established usages—should Englishmen ever find all, or many of these to be the characteristics of the depositaries of their rights, let them remember the prediction of the philosopher, and the fate of Ireland, and be assured that their boasted securities are becoming but a name.

But to record at length the progress of that fate, to dwell in any detail upon the various characters, and the various inducements (whether of hope, terror, avarice, ambition, or public duty) of the men who accelerated, and of those who would have averted the catastrophe, might well be the subject of a separate and a very considerable work. It will be sufficient for the purposes of Mr. Curran's history to have made these cursory allusions to the spirit of the times in which he acted, leaving more ample developments of it to himself, in the specimens of his eloquence that will be found in the following pages.

Mr. Curran's parliamentary speeches have been always and justly considered as inferior to his displays at the bar. To this deficiency many circumstances contributed. Depending solely upon his profession for support, he was not only seldom able to give an undivided attention to the questions that were brought before the senate, but he perpetually came to the discussion of them, exhaust-

ed by the professional labours of the day. The greater number of the important questions that emanated from the opposition were naturally introduced by the older leaders of that party; while he, whose talents were most powerful in reply, was reserved to combat the arguments of the other side. The debates, upon these occasions, were in general protracted to a very late hour, so that it often happened, when Mr. Curran rose to speak, that the note-takers were sleeping over their task, or had actually quitted the gallery. But, most of all, the same carelessness of fame, which has left his speeches at the bar in their present uncorrected state, has irretrievably injured his parliamentary reputation. While other members sat up whole nights retouching their speeches for publication, he almost invariably abandoned his to their fate, satisfied with having made the exertion that his sense of duty dictated; and deeming it of little moment that what had failed of success within the house should circulate and be applauded without.*

Notwithstanding these disadvantages, however, his career in parliament, supplies much that is in the highest degree honourable to his talents, spirit, and public integrity; of which the leading examples shall be adverted to as they occur in the order of time.

* Another circumstance contributed greatly to the inaccuracy of the reported speeches of such opposition members as would not take the pains of correcting them. The most skilful note-takers, of whom the number was very small, were in the service of the government, and considered it a part of their duty to suppress whatever it might not be agreeable to the administration to see published.

CHAPTER VI.

Mr. Flood's plan of parliamentary reform—Mr. Curran's contest and duel with Mr. Fitzgibbon (afterwards Lord Clare)—Speech on pensions—His professional success—Mode of life—Occasional verses—Visits France—Letters from Dieppe and Rouen—Anecdote—Letter from Paris—Anecdote—Letter from Mr. Boyse—Anecdote of Mr. Boyse—Letters from Holland.

The first occasion upon which Mr Curran's name appears in the parliamentary register, is in the tempestuous debate of November 29, 1783, upon Mr. Flood's proposition for a reform in parliament. The convention of volunteers, by whom Mr. Flood's plan had been approved, was still sitting in Dublin. About four o'clock in the afternoon of the 29th of November, that gentleman rose in the convention, and proposed that he, accompanied by such members of parliament as were then present, should immediately go down to the house of commons, and move for leave to bring in a bill exactly corresponding with the plan of reform approved of by them, and that the convention should not adjourn till the fate of his motion was ascertained. Lord Charlemont's biographer, who, apparently with much reason, condemns the violence of this proceeding, describes the scene in the house of commons as terrific: several of the minority, and all the delegates from the convention, appeared in their military uniforms. As to the debate, "it was uproar, it was clamour, violent menace, and furious recrimination."* In the little that Mr. Curran said, he supported Mr. Flood's motion.

In the following month he spoke more at length in prefacing a motion on the right of the house of commons to originate money bills; but as neither this, nor any of his parliamentary speeches during the sessions of 1783 and 1784, contain much that is remarkable, it would be unnecessarily swelling these pages to dwell upon them in detail.

In the year 1785 took place his quarrel with the late Lord Clare (then Mr. Fitzgibbon, the attorney general) an event which deeply affected his future fortunes. During Mr. Curran's first years at the

* *Hardy's Life of Lord Charlemont*, page 270; where the particulars of this interesting scene are very strikingly detailed.

bar they had been on terms of polite and even familiar intercourse ;* but the dissimilarity of their public characters, the high aristocratic arrogance of the one, and the popular tenets of the other, soon separated them ; even their private tastes and habits would have forbidden a lasting friendship. Lord Clare despised literature, in which Mr. Curran so delighted. The one in private as in public, disdained all the arts of winning ; he was sullen or overbearing, and when he condescended to be jocular was generally offensive. The other was in all companies the reverse ; playful, communicative, and conciliating. Mr. Curran never, like his more haughty rival, regulated his urbanity by the rank of his companions ; or if he did, it was by a diametrically opposite rule ; the more humble the person, the more cautiously did he abstain from inflicting pain. For all those lighter talents of wit and fancy which Mr. Curran was incessantly and almost involuntarily displaying, Lord Clare had a real or an affected contempt, and would fain persuade himself that they were incompatible with those higher powers which he considered could alone raise the possessor to an equality with himself. Mr. Curran was perhaps equally hasty in underrating the abilities of his antagonist. Detesting his arbitrary principles, and disgusted with his unpopular manners, he would see nothing in him but the petty despot, ascending to a bad eminence by obvious and unworthy methods, and therefore meriting his unqualified hatred and invective.

With such elements of personal dislike and political hostility, it is not surprising that when they met they should clash, and that the conflict should be violent and lasting. The very destinies of the two men seemed to have placed them where their contrasted qualities and peculiar force might be most strikingly displayed. Lord Clare was fitted by nature to attain power and to abuse it. Many men of inferior capacity might have attained as much ; but without his resources and perseverance, few could have continued so long to abuse it with impunity. Mr. Curran was either ignorant of or despised the arts which led to station : his talent lay not in defending doubtful measures or selecting political expedients, but

* The first bag that Mr. Curran ever carried was presented to him by Mr. Fitzgibbon, *for good luck sake.*

in exposing violated trust; in braving and denouncing public delinquents, in pathetic or indignant appeals to those natural elementary principles of human rights, against which political expedients are too frequently directed. He could never, like Lord Clare, have managed a venal restless aristocracy, so as to command their concurrence in a long system of unpopular encroachments; nor like him have continued for years to face the public reprobation of such conduct: as little could the latter, had he sided with the people, have brought to their cause such varied stores of wit and ridicule, and persuasive eloquence, as the harangues of his more gifted rival display.

In a debate on attachments in the Irish house of commons, (1785) as Mr. Curran rose to speak against them, perceiving that Mr. Fitzgibbon had fallen asleep on his seat, he thus commenced: "I hope I may say a few words on this great subject without disturbing the sleep of any right honourable member, and yet perhaps I ought rather to envy than blame the tranquillity of the right honourable gentleman. I do not feel myself so happily tempered as to be lulled to repose by the storms that shake the land. If they invite rest to any, that rest ought not to be lavished on the guilty spirit."* Provoked by these expressions, and by the general tenor of the observations that followed, Mr. Fitzgibbon replied to Mr. Curran with much personality, and among other things denominated him a *puny babbler*. The latter retorted by the following description of his opponent. "I am not a man whose respect in person and character depends upon the importance of his office; I am not a young man who thrusts himself into the foreground of a picture, which ought to be occupied by a better figure; I am not one who replies with invective when sinking under the weight of argument; I am not a man who denies the necessity of a parliamentary reform at the time that he proves its expediency by reviling his own constituents, the parish-clerk, the sexton, and grave-

* Although Mr. Curran appears here to have commenced hostilities, it should be mentioned, that he was apprized of Mr. Fitzgibbon's having given out in the ministerial circles that he should take an opportunity during this debate, in which he knew that Mr. Curran would take a part, *of putting down the young patriot*. The Duchess of Rutland and all the ladies of the Castle were present in the gallery to witness what Mr. Curran called, in the course of the debate, "this exhibition by command."

digger; and if there be any man who can apply what I am not to himself, I leave him to think of it in the committee, and to contemplate upon it when he goes home." The result of this night's debate was a duel between Mr. Curran and Mr. Fitzgibbon: after exchanging shots they separated, only confirmed in their feelings of mutual aversion, of which some of the consequences will appear hereafter.

One of the public grievances, which the Irish opposition frequently, but vainly, attempted to redress, was the enormity of the pension list. On the 13th of May in this year, (1786) Mr. Forbes brought forward a motion upon the subject, which, as usual, failed A part of Mr. Curran's speech upon that occasion may be given as a specimen of the lighter mode of attack to which he sometimes resorted where he saw that gravity would have been unavailing; and it may be observed that this, like many more of the same kind, are historical documents, which are perhaps the most descriptive of the times. The very absence of serious remonstrance shews that serious remonstrance had been exhausted, and that nothing remained but that ridicule should take its vengeance upon those whom argument could not reform.*

"I am surprised that gentlemen have taken up such a foolish opinion as that our constitution is maintained by its different component parts mutually checking and controlling each other. They seem to think, with Hobbes, that a state of nature is a state of warfare, and that, like Mahomet's coffin, the constitution is suspended, by the attraction of different powers. My friends seem to think that the crown should be restrained from doing wrong by a physical necessity, forgetting that if you take away from a man all power to do wrong, you at the same time take away from him all merit of doing right; and by making it impossible for men to run into slavery, you enslave them most effectually. But if instead of the three different parts of our constitution drawing forcibly in right lines at opposite directions, they were to unite their power and draw all one way, in one right line, how great would be the effect

* Upon this occasion Mr. Grattan caused the pension list to be read aloud by the clerk, and concluded his speech by saying, "If I should vote that pensions are not a grievance, I should vote an impudent, an insolent, and a public lie."

of their force, how happy the direction of their union! The present system is not only contrary to mathematical rectitude, but to public harmony: but if instead of Privilege setting up his back to oppose Prerogative, he was to saddle his back and invite Prerogative to ride, how comfortably might they both jog along; and therefore it delights me to hear the advocates for the royal bounty flowing freely, and spontaneously, and abundantly as Holywell in Wales. If the crown grants double the amount of the revenue in pensions, they approve of their royal master, for he is the breath of their nostrils.

"But we will find that this complaisance, this gentleness between the crown and its true servants, is not confined at home; it extends its influence to foreign powers. Our merchants have been insulted in Portugal, our commerce interdicted. What did the British lion do? Did he whet his tusks? Did he bristle up and shake his mane? Did he roar? No, no such thing; the gentle creature wagged his tail for six years at the court of Lisbon; and now we hear from the Delphic oracle on the treasury bench, that he is wagging his tail in London to Chevalier Pinto, who he hopes soon to be able to tell us will allow his lady to entertain him as a lap-dog; and when she does, no doubt the British factory will furnish some of their softest woollens to make a cushion for him to lie upon. But though the gentle beast has continued so long fawning and couching, I believe his vengeance will be great as it is slow, and that that posterity, whose ancestors are yet unborn, will be surprised at the vengeance he will take.

"This polyglot of wealth, this museum of curiosities, the pension list, embraces every link in the human chain, every description of men, women, and children, from the exalted excellence of a Hawke or a Rodney, to the debased situation of a lady who humbleth herself that she may be exalted. But the lessons it inculcates form its greatest perfection. It teacheth that sloth and vice may eat that bread which virtue and honesty may starve for after they have earned it: it teaches the idle and dissolute to look up for that support which they are too proud to stoop and earn: it directs the minds of men to an entire reliance upon the ruling power of the state, who feeds the ravens of the royal aviary that cry continually

for food: it teaches them to imitate those saints on the pension list that are like the lilies of the field, they toil not, neither do they spin, and yet are arrayed like Solomon in his glory: in fine it teaches a lesson, which indeed they might have learned from Epictetus, that it is sometimes good not to be over virtuous; it shews that in proportion as our distresses increase, the munificence of the crown increases also; in proportion as our clothes are rent the royal mantle is extended over us.

"But notwithstanding the pension list, like charity, covers a multitude of sins, give me leave to consider it as coming home to the members of this house; give me leave to say, that the crown, in extending its charity, its liberality, its profusion, is laying a foundation for the independence of parliament; for hereafter, instead of orators or patriots accounting for their conduct to such mean and unworthy persons as freeholders, they will learn to despise them, and look to the first man in the state; and they will by so doing have this security for their independence, that while any man in the kingdom has a shilling they will not want one.

"Suppose at any future period of time the boroughs of Ireland should decline from their present flourishing and prosperous state; suppose they should fall into the hands of men who wish to drive a profitable commerce by having members of parliament to hire or let; in such a case a secretary would find a great difficulty, if the proprietors of members should enter into a combination to form a monopoly. To prevent which in time, the wisest way is to purchase up the raw material, young members of parliament just rough from the grass; and when they are a little bitted, and he has got a pretty stud, perhaps of seventy, he may laugh at the slave merchant. Some of them he may teach to sound through the nose like a barrel-organ: some in the course of a few months might be taught to cry, Hear! hear! some Chair! chair! upon occasion; though these latter might create a little confusion if they were to forget whether they were calling inside or outside of these doors. Again, he might have some so trained, that he need only pull a string, and up gets a repeating member; and if they were so dull that they could neither speak or make orations (for they are different things) he might have them taught to dance, *pedibus ire in sententiam*. This

improvement might be extended; he might have them dressed in coats and shirts all of one colour, and of a Sunday he might march them to church, two and two, to the great edification of the people, and the honour of the Christian religion afterwards, like the ancient Spartans, or the fraternity at Kilmainham, they might dine all together in a large hall. Good heaven! what a sight to see them feeding in public, upon public viands, and talking of public subjects, for the benefit of the public! It is a pity they are not immortal; but I hope they will flourish as a corporation, and that pensioners will beget pensioners to the end of the chapter."

Mr. Curran was now (1786) in full practice at the bar. It may be acceptable to hear the manner he spoke himself of his increasing celibrity. The following is an extract from one of his private letters of this period.

"Patterson, chief justice of the common pleas, has been given over many days, but still holds out. My good friend Carleton* succeeds him. Had he got this promotion some time ago, it might have been of use to me, for I know he has a friendship for me; but at present his partiality can add little to whatever advantage I can derive from his leaving about four thousand a year at the bar.

"I understand they have been puffing me off to you from this, (Dublin). I have been indeed very much employed this term, and I find I have the merit imputed to me of changing a determination which the Chancellor had formed against Burroughs,† a few days ago. He has really been uncommonly kind and polite to me.—This, I believe, is the first time I ever became my own panegyrist, therefore excuse it: I should scarcely mention it for any vanity of mine, if it were not of some little value to others; tot it up therefore on the table of pence, not on the scale of vain glory."

His life at this time was passed in a uniform succession of the same occupations, his professional and parliamentary duties. The intervals of business he generally spent at Newmarket, where he

* The present Lord Carleton.

† The present Sir William Burroughs, Bart.; lately one of the judges of the supreme court of judicature at Calcutta. The cause to which Mr. Curran's letter alludes was that of Newberg and Burroughs; by his exertions in which he had acquired a considerable accession of fame.

had taken a few acres of land, and built a house, to which he gave the name of the Priory, as the residence of the Prior of the Order of St. Patrick. In Dublin the reputation of his talents and his convivial powers introduced him to every circle to which he could desire to have access; in the country he entered into all the sports and manners of his less polished neighbours, with as much ardour as if it was with them alone that he had passed, and was to pass, his days. The ordinary routine of his profession took him twice every year to Munster;* and among the many attractions of that circuit, he always considered, as one of the greatest, the frequent opportunities it gave him of visiting and spending some happy hours with two of his oldest and dearest friends, (once his college fellow-students) the Rev. Thomas Crawford, of Lismore, and the Rev. Richard Cary, of Clonmel; both of them persons unknown to fame, but both so estimable, as men, and scholars, and companions, that his taste and affections were perpetually recalling him to the charms of their society.

* Upon one of these journeys, and about this period, as Mr. Curran was travelling upon an unfrequented road, he perceived a man in a soldier's dress, sitting by the road side, and apparently much exhausted by fatigue and agitation. He invited him to take a seat in his chaise, and soon discovered that he was a deserter Having stopt at a small inn for refreshment, Mr. Curran observed to the soldier, that he had committed an offence of which the penalty was death, and that his chance of escaping it was but small: "Tell me then," continued he, "whether you feel disposed to pass the little remnant of life that is left you in penitence and fasting, or whether you would prefer to drown your sorrow in a merry glass?" The following is the deserter's answer, which Mr. Curran, in composing it, adapted to a plaintive Irish air.

If sadly thinking, with spirits sinking,
Could more than drinking my cares compose,
A cure for sorrow from sighs I'd borrow,
And hope to-morrow would end my woes.
But as in wailing there's nought availing,
And Death unfailing will strike the blow,
Then for that reason, and for a season,
Let us be merry before we go!

To joy a stranger, a way-worn ranger,
In every danger my course I've run;
Now hope all ending, and Death befriending,
His last aid lending, my cares are done:
No more a rover, or hapless lover,
My griefs are over, and my glass runs low;
Then for that reason, and for a season,
Let us be merry before we go!

It may not be a very dignified circumstance in his history, yet it must be mentioned, that his arrival at Newmarket was always considered there as a most important event. Gibbon somewhere observes that one of the liveliest pleasures which the pride of man can enjoy, is to reappear in a more splendid condition among those who had known him in his obscurity. If Mr. Curran had been proud, he might have enjoyed this pleasure to the full. Upon the occasion of every return to the scene of childhood, visits and congratulations upon his increasing fame poured in upon "the counsellor" from every side. "His visiters," (according to his own description) "were of each sex and of every rank, and their greetings were of as many kinds. Some were delivered in English, some in Irish, and some in a language that was a sort of a compromise between the two—some were communicated verbally—some by letter or by deputy, the absentees being just at that moment 'in trouble,' which generally meaned, having been lately committed for some 'unintentional' misdemeanour, from the consequences of which, who could extricate them so successfully as 'the counsellor?' some came in prose—some in all the pomp of verse; for Mr. O'Connor, the roving bard, (of whom Mr Curran used to say, that if his imagination could have carried him as far as his legs did, he would have been the most astonishing poet of the age) was never absent; at whatever stage of their poetical circuit he and his itinerant muse might be, the moment certain intelligence reached them that the master of the Priory had arrived, they instantly took a short cut across the country, and laid their periodical offering at the feet of him whose high fortune they had of course been the first to predict."

All these petty honours gratified his heart, if not his pride, and he never fastidiously rejected them. Those who came from the mere ambition of a personal interview, he sent away glorying in their reception, and delighted with his condescension and urbanity; to those who seemed inclined "to carry away any thing rather than an appetite," he gave a dinner. The village disturber of the peace had once more a promise that his rescue should be effected at the ensuing assizes, while the needy laureat seldom failed to receive

the "*crown*," which he had "long preferred to the freshest laurels."*

* The poetry of the roving bard has by some accident perished; but his name is preserved in a short and unambitious specimen of his favourite art. His muse at one time became so importunate, that Mr. Curran found it necessary to discourage her addresses; instead therefore of rewarding one of her effusions with the expected donation, he sent the bard the following impromptu:

A collier once in days of yore,
From famed Newcastle's mines, a store
Of coals had rais'd, and with the load
He straightway took Whitehaven road;
When thither come, he look'd around,
And soon a ready chap he found;
But after all his toil and pain,
He measured out his coals in vain,
For he got nought but coals again.
Thus Curran takes O'Connor's lays,
And with a verse the verse repays;
Not *verse* indeed as good as thine,
Nor rais'd from such a genuine mine;
But were it better, 'twere in vain
To emulate O'Connor's strain.
Then take, my friend—and freely take,
The verses for the poet's sake:
Yet one advice from me receive,
'Twill many vain vexations save;
Should, by strange chance, your muse grow poor,
Bid her ne'er seek a poet's door.

The disappointed bard retored; and his concluding verse,

If you're paid such coin for your law,
You'll ne'er be worth a single straw,

was felt to contain so important and undeniable a truth, that his solicitations could be no longer resisted. These are trifles; but the subject of these pages gladly sought relief in them, when satiated with more splendid cares.

Mr. Curran composed two other little poems, of a different description, about this time. The first of the following has been praised, as possessing peculiar delicacy of thought, by the most admired poet that Ireland has produced.

ON RETURNING A RING TO A LADY.

Thou emblem of faith—thou sweet pledge of a passion
By heaven reserved for a happier than me—
On the hand of my fair go resume thy loved station,
Go bask in the beam that is lavish'd on thee!
And if, some past scene thy remembrance recalling,
Her bosom shall rise to the tear that is falling,
With the transport of love may no anguish combine,
But be *hers* all the bliss—and the sufferings all *mine!*

Yet say, (to thy mistress ere yet I restore thee)
Oh say why thy charm so indifferent to me?
To her thou art dear—then should I not adore thee?
Can the heart that is hers be regardless of thee?

In the year 1787 Mr. Curran visited France, a country for whose literature and manners he had had a very early predilection. The following letters give an account of its first impressions on him; and, however carelessly written, their insertion will be at least some relief to the harsher scenes of political contention, which occupy so much of his future history.

"Dieppe, Friday, August 31st, 1787.

"My last from Brighton told you I was setting sail—I did so about eight o'clock yesterday evening, and after a pleasant voyage, landed here this day at twelve. To-morrow I set out for Rouen, where I shall probably remain two or three days.

But the eyes of a lover, a friend, or a brother,
Can see nought in thee, but the flame of another;
On me then thou'rt lost; as thou never couldst prove
The emblem of faith or the token of love.

But, ah! had the ringlet thou lov'st to surround—
Had it e'er kiss'd the rose on the cheek of my dear,
What ransom to buy thee could ever be found,
Or what force from my heart thy possession could tear?
A mourner, a suff'rer, a wanderer, a stranger—
In sickness, in sadness, in pain, and in danger,
Next my heart thou shouldst dwell till its last gasp were o'er—
Then *together* we'd sink—and I'd part thee no more.

ON MRS. BILLINGTON'S BIRTH-DAY.

The wreath of love and friendship twine,
And deck it round with flow'rets gay—
Tip the lip with rosy wine,
'Tis fair Eliza's natal day!

Old Time restrains his ruthless hand,
And learns one fav'rite form to spare;
Light o'er her tread, by his command,
The Hours, nor print one footstep there.

In amorous sport the purple Spring
Salutes her lips, in roses drest;
And Winter laughs, and loves to fling
A fleak of snow upon her breast.

So may thy days, in happiest pace,
Divine Eliza, glide along!
Unclouded as thy angel face,
And sweet as thy celestial song!

"I cannot say the first view of France has made a very favourable impression on me. I am now writing in the best lodging room in the best inn of Dieppe, l'hotel de la Ville de Londres. Monsieur de la Rue, the host, danced up to me on board the packet, did every thing I wanted, and offered a thousand services that I had no occasion for. I mounted to my present apartment by a flight of very awkward stairs; the steps, some of brick, some of wood, but most of both The room contains two old fantastical chests of drawers—a table on which I now write—four chairs with cane backs and bottoms, and a bed five feet from the bricks that compose the floor (the first floor); the walls half covered with lime and half with a miserable tapestry. I dined very well, however, on a small fish like a trout, a beef steak, and a bottle of Burgundy, which the maid that attended me would not admit to be 'chevalier.'

"I then walked out to see the town, and, God knows, a sad sight it is: it seems to have been once better, but it is now strength fallen into ruin, and finery sunk into decay. It smote me with a natural sentiment of the mortality of all human things; and I was led by an easy transition to inquire for the churches. I inquired of a decent looking man, who sat at a door knitting stockings, and he with great civility stopped his needles, and directed me to the church of St. Jacques, having first told me how fine it was and how many years it was built. It has a profusion of sculpture in it, and I suspect not of the best kind; however, the solemnity of the whole made amends, and indeed I think well might, for that deficiency, to me who am so little a connoisseur in the matter. I could not but respect the disinterestedness and piety of our ancestors, who laboured so much to teach posterity the mortality of man; and yet, on turning the idea a little, I could not but suspect that the vain-glory of the builders of pyramids and temples was no small incentive to their labours: why else engrave the lesson of mortality in characters intended to endure for ever, and thus become an exception to the rule they would establish? But I am turning preacher instead of traveller.

"I reserved the view of the inhabitants for the last. Every nation, 'tis said, has a peculiar feature. I trust poor France shall not be judged of in that point by Dieppe. I had expected to see something odd on my arrival, but I own I was unprepared for what

I met; the day was warm, and perhaps the better sort of people were all within. Many hundreds were busy on the quays and streets, but any thing so squalid, so dirty, and so ugly, I really never saw. At some little distance I mistook the women for sailors, with long boddices, and petticoats not completely covering their knees, which I really took for trowsers; however, on a nearer view, I saw their heads covered with linen caps, their beards unshaved, and perceived they wore slippers with rather high heels; by which, notwithstanding the robust shape of their legs, and their unusual strut, I ascertained their sex sufficiently for a traveller.

"I may say truly, I did not see a being this day between the ages of fifteen and fifty. I own I was therefore surprised to find that there were children, for such I found to be a parcel of strange little figures; the female ones with velvet hoods, and the male with their little curled heads covered with woollen nightcaps, regardless of the example of their hardy old fathers, if they were not their grandsires, who carried about heads without a hair or a hat to protect them.

"In truth, I am at a loss to reconcile so many contradictions as I have met with here even in a few hours. Even though I should not mention the height of their beds, nor the unwieldiness of their carriages, as if the benefit of rest was reserved for vaulters and rope-dancers, and the indolent and helpless only were intended to change their place; but perhaps those impressions are only the first and the mistaken views of a traveller, that ought to see more and reflect more before he forms his opinions. I believe so too, and, if I change or correct them, the French nation shall have the benefit of my change of opinion. If not, I hope my mistake will not do much injury to the power, or riches, or vanity of his most Christian Majesty.

"Yours ever,

"J. P. C."

A few days after, in a letter from Rouen, he says: "I still find myself confirmed every day, in a preference for my own poor country. The social turn of this people certainly has the advantage; their manners are wonderfully open and pleasant; but still,

in every thing I have yet seen, I have observed a strange medley of squalid finery and beggarly ostentation, with a want of finishing in every article of building or manufacture, that marks them at least a century behind us. Yet have they their pleasant points; gay, courteous, temperate, ill-clothed, and ill-accommodated, they seem to have been negligent only in what regarded themselves, and generously to have laboured in what may render them agreeable to their visiters."

As Mr. Curran travelled on towards Paris, he received a mark of public attention for which he was in a great measure indebted to his eloquent defence of the Roman Catholic priest already mentioned. His friend, the Reverend Arthur O'Leary (more generally called Father O'Leary) knowing that he was to pass through a particular town, wrote to the superior of a convent in the neighbourhood, describing the traveller that was shortly to arrive there, and requesting that so ardent a friend of their religion should be welcomed and entertained with all courtesy and honour. Mr. Curran no sooner reached the place, than he received a pressing invitation to take up his abode at the convent. He accordingly proceeded thither, and was met at the gates by the abbot and his brethren in procession. The keys of the convent were presented to him, and his arrival hailed in a Latin oration, setting forth his praises and their gratitude, for his noble protection of a suffering brother of their church.

Their Latin was so bad, that the stranger without hesitation replied in the same language. After expressing his general acknowledgments for their hospitality, he assured them, that nothing could be more truly gratifying to him than to reside for a few days among them; that he should feel himself perfectly at home in their society; for that he was by no means a stranger to the habits of a monastic life being himself no less than the Prior of an order in his own country, the order of St. Patrick, or the Monks of the Screw. Their fame, he added, might never have reached the Abbot's ears, but he would undertake to assert for them, that, though the brethren of other orders might be more celebrated for learning how to die, the "Monks of the Screw" were as yet unequalled for knowing how to live. As, however, humility was their great tenet and uniform practice, he

would give an example of it upon the present occasion, and instead of accepting all the keys which the Abbot had so liberally offered, would merely take charge, while he stayed, of the key of the wine-cellar.

This little playful sally was accepted in the same spirit of good humour with which it was offered; and the traveller, after passing two or three days with the Abbot, and pleasing every one by his vivacity and conciliating manners, proceeded on his journey, not without a most pressing invitation to take advantage of any future occasion of revisiting his friends at the convent.

The following is extracted from one of his letters from Paris.

"Paris, September 15, 1787.

"I have been all about the world with the Carletons, visiting churches, libraries, pictures, operas, &c. Yesterday we went to Versailles, and, though a week-day, had the good luck to see his Majesty at chapel, after which he went out hunting; after which we viewed the palace, the gardens, statues, &c. bought two pair of garters at a pedlar's stall in an ante-chamber adjoining the great gallery, and so returned to town. All that could be seen even on a Sunday, besides, would be the Queen, who would probably take very little notice of her visiters; so I shall probably, I think, go no more to Versailles. Mr. Boyse is perfectly well. I have written to him this day. My health, thank God, has been perfectly good since I came here, to which I suppose the great temperance of this country has contributed not a little. I am early as usual; read, write, dine, go to the coffee-house, the play, as usual; one day now seems to be the former, and I begin to be vexed at its being the model of the next. Perhaps upon earth there cannot be found in one city such a variety of amusements: if you walk the Boulevards in the evening, you see at least ten thousand persons employed in picking the pockets of as many millions, reckoning players, rope-dancers, jugglers, buffoons, bird-sellers, bear-dances, learned beasts, &c. Yet I begin to grow satiated, and often wish for a more tranquil habitation."

Among the traits of French manners, which Mr. Curran upon his return related as having greatly entertained him, was the fol-

lowing little incident, which will be also found to be perfectly characteristic of his own.

He was one evening sitting in a box, at the French Opera, between an Irish noble-woman, whom he had accompanied there, and a very young Parisian female. Both the ladies were peculiarly interesting in their appearance, and very soon discovered a strong inclination to converse, but unluckily each was ignorant of the other's language. To relieve their anxiety, Mr. Curran volunteered to be their interpreter, or in his own words, "to be the carrier of their thoughts, and accountable for their safe delivery." They accepted the offer with delight, and immediately commenced a vigorous course of observations and inquiries upon dress and fashion, and such common-place subjects; but their interpreter betraying his trust, changed and interpolated so much, that the dialogue soon became purely his own invention. He managed it however with so much dexterity, transmitting between the parties so many finely turned compliments, and elegant repartees, that the unsuspecting ladies became fascinated with each other. The Parisian *demoiselle* was in raptures with the wit and colloquial eloquence of *milady*, whom she declared to be *parfaitement aimable;* while the latter protested that she now for the first time felt the full charm of French vivacity. At length, when their mutual admiration was raised to its most ecstatic height, the wily interpreter, in conveying some very innocent question from his country-woman, converted it into an anxious demand, if she might be favoured with a kiss. "Mais oui, mon Dieu, oui!" cried out the animated French girl, "j'allois le proposer moi-meme," and springing across Mr. Curran, imprinted an emphatic salutation, according to the custom of her country, upon each cheek of his fair companion; and then turning to him, added, "vraiment, monsieur, madame votre amie est un veritable ange." The latter never discovered the deception, but after her return to Ireland used often to remind Mr. Curran of the circumstance, and ask, "what in the world the young lady could have meaned by such strange conduct?" to which he would only archly reply, "Come, come, your ladyship must know that there is but one thing in the world that it *could* have meaned, and the meaning of that is so literal, that it does not require a commentator."

The name of Mr. Boyse occurred in his last letter; the friend of his childhood, between whom and Mr. Curran the most cordial intercourse continued until death dissolved it.* The delicacy of that gentleman's health had obliged him to reside for several years past upon the Continent, from which he regularly corresponded with his former pupil. One of his letters written in this year, shall be inserted, as an example of the kind and confidential feeling that pervades them all.

"TO J. P. CURRAN, ESQ.

ELY-PLACE, DUBLIN.

"Bruxelles, Feb. 7, 1787.

"DEAR JACK,

"I hope my friend's affairs are going well, and flourishing as when I left him: mine, I suppose, are in the last stage of consumption, so that I almost dread to make inquiry about them. My health has been so good this winter, that I came from Aix here to escort a Mr. Low and family, my relations, who are on their road to England and Ireland. To-morrow, I return to Aix-la-Chapelle for the remainder of the winter. I hope you were paid the money I drew on you for, as I must soon draw on you again for 60l. If I have no funds at Newmarket, I shall write to Dick Boyse to pay you, and shall always take care that you shall be no sufferer by me.

"Let me hear how you go on, and what chance you have of the bench. I wish you had realised seven or eight hundred a year for your family. Is your health good, and your life regular? I saw Grattan and Fitzgibbon at Spa; the former friendly and agreeable, the latter disagreeable to every one. I dined with him and Mr. Orde, at a club where we are members, but he was solemn and displeasing to us all. My compliments to Grattan and his wife, and ask him for her on my part; she is very amiable. What is to become of us with the White Boys? If I am not an absolute beggar, I will go home the latter end of the summer. How

* Mr. Boyse died a few years after the present period.

go on all your children? An account of yourself and them will give me pleasure. With best wishes to you all,

"I am, dear Jack,

"Yours sincerely,

"Nat. Boyse."

Mr. Boyse came over to Ireland in the following year. Upon the morning of his arrival in Dublin, as he was on his way to Ely Place, he was met by his friend, who was proceeding in great haste to the courts, and had only time to welcome him, and bid him defer his visit till the hour of dinner. Mr. Curran invited a number of the eminent men at the bar to meet Mr. Boyse; and on returning home at a late hour from court, with some of his guests, found the clergyman, still in his travelling dress, seated in a familiar posture at the fire, with a foot resting upon each side of the grate. "Well, Jack," said he turning round his head, but never altering his position, "here have I been for this hour past, admiring all the fine things that I see around me, and wondering where you could have got them all." "You would not dare," returned Mr. Curran, deeply affected by the recollections which the observation called up, "to assume such an attitude, or use so little ceremony, if you were not conscious that every thing you see is your own. Yes, my first and best of friends, it is to you that I am indebted for it all. The little boy whose mind you formed, and whose hopes you animated, profiting by your instructions, has risen to eminence and affluence: but the work is yours; what you see is but the paltry stucco upon the building of which *you* laid the foundation."

This year (1788) Mr. Curran visited Holland, from which he writes as follows.

"Helvoetsluys, August 1, 1788.

"Just landed, after a voyage of forty-two hours, having left Harwich, Wednesday at six in the evening. We are just setting out in a treckscuit for Rotterdam.

"I can say little, even if I had time, of the first impression that Holland makes on a traveller. The country seems as if it were

swimming for its life, so miserably low does it appear; and from the little I have seen of its inhabitants, I should not feel myself much interested in the event of the struggle. We were obliged to put up an orange cockade on our entrance. We have just dined, and I am so disturbed by the settling the bill, and the disputes about guilders and stivers, &c. that I must conclude.

"Yours ever.

"J. P. C."

"Amsterdam, August 5, 1788.

"You can't expect to find much entertainment in any letter from Holland. The subject must naturally be as flat as the country, in which, literally, there is not a single eminence three inches above the level of the water, the greater part lying much below it. We met Mr. Hannay, a Scotchman, on the passage, who had set out on a similar errand. We joined accordingly. A few moments after my letter from Helvoetsluys was written, we set out in a treckscuit for Rotterdam, where after a voyage of twenty-four hours easy sail, we arrived without any accident, notwithstanding some struggle between an adverse wind and the horse that drew us. We staid there only one day, and next day set out for the Hague, a most beautiful village, the seat of the Prince of Orange, and the residence of most of the principal Dutch. Yesterday we left it, and on going aboard found four inhabitants of Rouen, and acquaintances of my old friend Du Pont. We were extremely amused with one of them, a little thing about four feet long, and for the first time in his life a traveller. He admired the abundance of the waters, the beauty of the windmills, and the great opulence of Holland, which he thought easy to be accounted for, considering that strangers paid a penny a mile for travelling, which was double what a French gentleman was obliged to pay at home; nor could it otherwise be possible for so many individuals to indulge in the splendor of so many country villas as we saw ranged along the banks of the canals, almost every one of which had a garden and menagerie annexed. The idea of the menagerie he caught at the instant from a large poultry coop, which he spied at the front of one of those little boxes, and which contained half a dozen turkeys and as many hens.

"The evening, yesterday, brought us to Amsterdam. We had an interpreter who spoke no language. We knew not, under heaven, where to go; spoke in vain to every fellow passenger, but got nothing in return but Dutch; among the rest to a person in whom notwithstanding the smoke, I thought I saw something of English. At length he came up to me, and said he could hold out no longer. He directed us to an inn; said he sometimes amused himself with concealing his country, and that once at Rotterdam he carried on the joke for five days, to the great annoyance of some unfortunate Englishmen, who knew nobody, and dined every day at the table d'hote he frequented. Last night we saw a French comedy and opera tolerably performed. This day we spent in viewing the port, stad-house, &c. and shall depart to-morrow for Rotterdam or Utrecht, on our way to Antwerp.

"You cannot expect much observation from a visiter of a day: the impression, however, of a stranger, cannot be favourable to the people. They have a strange appearance of the cleanliness for which they are famous, and of the dirt that makes it necessary: their outsides only have I seen, and I am satisfied abundantly with that. Never shall I wish to return to a country, that is at best dreary and unhealthy, and is no longer the seat of freedom; yet of its arbitrariness I have felt nothing more than the necessity of wearing an orange riband in my hat. My next will be from Spa, where I hope to be in six or seven days: till then farewell.

"Yours ever,

"J. P. C."

CHAPTER VII.

His majesty's illness—Communicated to the House of Commons—Mr. Curran's speech upon the address—Regency question—Formation of the Irish Whig opposition—Mr. Curran's speech and motion upon the division of the boards of stamps and accounts—Answered by Sir Boyle Roche—Mr. Curran's reply—Correspondence and duel with Major Hobart—Effects of Lord Clare's enmity—Alderman Howison's case.

The year 1789 was in many respects one of the most interesting and important in Mr. Curran's life. From his entrance into parliament he had hitherto been chiefly engaged in an occasional desultory resistance to the Irish administration, rather acting with, than belonging to the party in opposition; but in this year a momentous question arose, in the progress and consequences of which, there was such a development of the system by which Ireland was in future to be governed, that he did not hesitate to fix his political destiny for ever, by irrevocably connecting himself with those whose efforts alone he thought could save their country. His late Majesty's most afflicting indisposition had taken place towards the close of the year 1788. It is known to all that upon the announcement of that melancholy event, the British parliament proceeded to nominate His Royal Highness the Prince of Wales regent, under particular limitations and restrictions; a mode of proceeding which the Irish ministry were peculiarly anxious that the Irish parliament should studiously imitate. For this purpose great exertions were made to secure a majority. To Mr. Curran it was communicated that his support of the government would be rewarded with a judge's place, and with the eventual prospect of a peerage; but he was among those who considered it essential to the dignity of the parliament, and the interests of Ireland, that the heir apparent should be invited by address to assume the full and unrestricted exercise of the regal functions; and fortunately for his fame, he had too much respect for his duties and his character, to sacrifice them to any considerations of personal advancement.

The Irish administration had been anxious to defer the meeting of the legislature until the whole proceedings respecting the regency should be completed in England, in the hope that the con-

duct pursued by the British parliament might be followed as a precedent in Ireland; but the urgencies of the public business not admitting so long a delay, the session was opened on the 5th of February, 1789, by the viceroy (the Marquis of Buckingham), when the king's illness was for the first time announced to the country. On the following day, in the debate on the address of thanks, his excellency's late conduct was made the subject of much severe animadversion. Upon that occasion Mr. Curran spoke as follows:

"I oppose the address,* as an address of delay. I deeply lament the public calamity of the king's indisposition: it is not so welcome a tale to me as to call for any thanks to the messenger that brings it. Instead of thanks for communicating it now, it should be resented as an outrage upon us that he did not communicate it before. As to thanks for the wishes of Ireland, it is a strange time for the noble marquis to call for it. I do not wish that an ultimately vote of approbation should mix with the voice of a people's lamentation: it is a picture of general mourning, in which no man's vanity ought to be thrust in as a figure. But if it is pressed, what are his pretensions? One gentleman (Mr. Boyd) has lost hundreds a year by his arts, and defends him on that ground; another (Mr. Corry) praises his economy for increasing salaries in the ordnance—the economy of the noble lord is then to be proved only by public or by private losses. Another right honourable gentleman (the attorney general) has painted him as a man of uncouth manners, much addicted to vulgar arithmetic, and therefore entitled to praise. But what have his calculations done? They have discovered that a dismounted trooper may be stript of his boots, as a public saving, or that a mutilated veteran might be plundered of half the pittance of his coals, as a stoppage for that wooden leg, which perhaps the humane marquis might consider as the most proper fuel to keep others warm.

* One of the paragraphs of the address upon which the debate arose was the following: "We return your excellency sincere thanks (however we must lament the necessity of such a circumstance) for ordering the communication of such documents as you have received respecting his majesty's health; as well as for your intention of laying before us such further information as may assist our deliberations upon that melancholy event."

"But a learned gentleman (Mr. Wolfe) has defended the paragraph, as in fact meaning nothing at all. I confess I find the appeal to the compassion of the public stronger than that to their justice. I feel for the reverses of human fate. I remember this very supplicant for a compliment, to which he pretends only because it is no compliment, drawn into this city by the people, harnessed to his chariot, through streets blazing with illuminations; and now, after more than a year's labour at computation, he has hazarded on a paragraph stating no one act of private or of public good; supported by no man that says he loves him; defended, not by an assertion of his merit, but by an extenuation of his delinquency.

"For my part I am but little averse to accede to the sentiment of an honourable friend who observed, that he was soon to leave us, and that it was harsh to refuse him even a smaller civility than every predecessor for a century had got. As for me, I do not oppose his being borne away from us in the common hearse of his political ancestors; I do not wish to pluck a single faded plume from the canopy, nor a single rag of velvet that might flutter on the pall. Let us excuse his manners, if he could not help them; let us pass by a little peculation, since, as an honourable member says, it was for his brother; and let us rejoice that his kindred were not more numerous. But I cannot agree with my learned friend who defends the conduct of the noble lord, on the present occasion. The viceroy here, under a party that had taken a peculiar line in Great Britain, should not have availed himself of his trust to forward any of their measures: he should have considered himself bound by duty and by delicacy to give the people the earliest notice of their situation, and to have religiously abstained from any act that could add to the power of his party, or embarrass any administration that might succeed him. Instead of that, he abused his trust by proroguing the two houses, and has disposed of every office that became vacant in the interval, besides reviving others that had been dormant for years. Yet the honourable member says he acted the part of a faithful steward. I know not what the honourable member's idea of a good steward is; I will tell mine. A good steward, if his master was visited by infirmity or by death, would secure every article of his effects for his heir; he would enter into

no conspiracy with his tenants; he would remember his benefactor, and not forget his interest. I will also tell my idea of a faithless, unprincipled steward. He would avail himself of the moment of family distraction; while the filial piety of the son was attending the sick bed of the father, or mourning over his grave, the faithless steward would turn the melancholy interval to his private profit; he would remember his own interest, and forget his benefactor; he would endeavour to obliterate or conceal the title deeds; to promote cabals among the tenants of the estate, he would load it with fictitious incumbrances; he would reduce it to a wreck, in order to leave the plundered heir no resource from beggary except continuing him in a trust which he had been vile enough to betray. I shall not appropriate either of these portraits to any man: I hope most earnestly that no man may be found in the community, whose conscience would acknowledge the resemblance of the latter.

"I do not think the pitiful compliment in the address worthy a debate or a division; if any gentleman has a mind to stigmatise the object of it by a poor, hereditary, unmeaning, unmerited panegyric, let it pass; but I cannot consent to a delay at once so dangerous and so disgraceful."

The opposition proved upon this occasion the stronger party: Mr. Grattan's proposal that the 11th of February should be fixed for taking into consideration the state of the nation was carried, against the exertions of the ministry to postpone that important discussion to a more distant day. On the 11th accordingly both houses met; when, upon the motion of Mr. Grattan in the one, and of Lord Charlemont in the other, the address to the Prince of Wales, requesting his royal highness to take upon himself the government of Ireland, with the style and title prince regent, and in the name and behalf of his majesty, to exercise all regal functions during his majesty's indisposition, was carried by large majorities in both houses.

The particulars of the debate in the house of commons upon this interesting subject, in which Mr. Curran bore a distinguished part, it would be superfluous to detail in this place, as the legislative union has for ever prevented the recurrence of such a question; it will be sufficient merely to observe, that the Whig majority who

planned and carried the measure of an address were influenced by two leading considerations. In the first place it seemed to them that the proceeding by an address was the only one which would not compromise the independence of the Irish parliament. They conceived the present situation of Ireland as similar in many respects to that of England at the period of the revolution: the throne indeed was not actually vacant, but an efficient executive was wanting; and upon the same principle that the two houses in England had, of their own authority, proceeded to supply the vacancy by the form of an address to the Prince of Orange, so it appeared should those of Ireland (an equally independent legislature) provide for the deficiency of their third estate in the present instance. This line of conduct was strenuously opposed by the attorney general (Mr. Fitzgibbon); but the strongest of his arguments were rather startling than convincing, and made but little impression upon the majority, who justly felt that a great constitutional proceeding upon an unforseen emergency should not be impeded by any narrow technical objections, even though they had been more unanswerable than those adduced upon this occasion.*

Next to supporting the dignity of the Irish parliament, the Whig

* The following was one of Mr. Fitzgibbon's arguments: "Let me now for a moment suppose, that we, in the dignity of our independence, appoint a regent for Ireland, being a different person from the regent of England, a case not utterly impossible, if the gentlemen insist upon our appointing the Prince of Wales before it shall be known whether he will accept the regency of England; and suppose we should go farther, and desire him to give the royal assent to bills, he would say, 'My good people of Ireland, you have, by your own law, made the great seal of England absolutely and essentially necessary to be affixed to each bill before it passes in Ireland; that seal is in the hands of the chancellor of England, who is a very sturdy fellow; that chancellor is an officer under the regent of England; I have no manner of authority over him; and so, my very good people of Ireland, you had better apply to the regent of England, and request that he will order the chancellor of England to affix the great seal of England to your bills; otherwise, my very good people of Ireland, I cannot pass them.'"

"This," said Mr. Curran, in his observations upon this argument, "is taking seals for crowns, and baubles for sceptres; it is worshipping wafers and wax in the place of a king; it is substituting the mechanical quibble of a practising lawyer, for the sound deduction of a philosopher standing on the vantage ground of science; it is more like the language of an attorney particular than an attorney general; it is that kind of silly fatuity that on any other subject I should leave to be answered by silence and contempt; but when blasphemy is uttered against the constitution, it shall not pass under its insignificance, because the essence should be reprehended, though the doctrine cannot make a proselyte."

leaders of 1789 were actuated by the prospects of advantage to Ireland which they anticipated from the change of administration and of system that were expected to follow their exertions. They were anxious to invest the heir apparent with the most unrestrained regal authority, in the fullest confidence that the benefits on which they calculated would be commensurate with the power to confer them. How far these sanguine hopes would have been realised, how far the measures of a ministry listening to the counsel of Mr. Fox could have healed the existing discontents, or have prevented the calamities that succeeded, must now be matter of controversial speculation, his Majesty's health having been fortunately restored before the arrangements regarding the regency were yet concluded.

Although the conduct of the Irish house of commons at this important crisis has been generally adduced as a proof of the dangerous spirit of independence that pervaded that assembly, and therefore insisted on as an argument for a legislative union; yet, were it now worth while to examine the subject, it would not be difficult to show that the crowd who on that occasion so zealously volunteered their support of the opposition were influenced by far other motives than a lofty sense of their own country's dignity; and that, however the English government might, at some rare conjuncture, be embarrassed by their versatility, it had nothing to apprehend from their patriotic virtue. No sooner was it ascertained that the cause which they had lately espoused was to be unattended with emolument, than they returned in repentance to their tenets; and incontestably did they prove in their subsequent life the extent and the sincerity of their contrition.

There were a few, however, who would upon no terms continue their support of the Irish administration: they lost their places, which they might have retained, and, joining the opposition, adhered to it with undeviating and "desperate fidelity," as long as the Irish parliament continued to exist.*

* Among these were Mr. George Ponsonby, and his brother, the late Lord Ponsonby; and in the upper house, the Duke of Leinster. In a letter to Mr. Grattan, Mr. Curran thus alludes to the formation of the last opposition in the Irish parliament: "You well remember the state of Ireland in 1789, and the necessity under which we found ourselves of forming some bond of

It has been seen in the preceding pages, that the zeal with which Mr. Curran performed his public duties had already twice endangered his life: in the beginning of the year 1790 it was again exposed to a similar risk. If his duel with the Irish secretary, Major Hobart,* (now alluded to) had been the consequence of accidental intemperance of language or conduct on either side, the account of it should be hastily dismissed; but such was not its character. The circumstances that preceded it are peculiarly illustrative of the condition of the times, of the state of the Irish house of commons, of the manner in which that state rendered it incumbent upon an honest senator to address it, and of the dangers that attended him who had the boldness to perform his duty.

In the month of February, 1790, Mr. Curran made the following speech in that house: independent of the other reasons for which it is here introduced, it may be offered as among the most favourable examples of his parliamentary oratory.

"I rise with that deep concern and melancholy hesitation, which a man must feel who does not know whether he is addressing an independent parliament, the representatives of the people of Ireland, or whether he is addressing the representatives of corruption: I rise to make the experiment; and I approach the question with all those awful feelings of a man who finds a dear friend prostrate and wounded on the ground, and who dreads lest the means he should use to recover him may only serve to show that he is dead and gone for ever. I rise to make an experiment upon the representatives of the people, whether they have abdicated their trust, and have become the paltry representatives of Castle influence: it is to make an experiment on the feelings and probity of gentlemen, as was done on a great personage, when it was said 'thou art the man.' It is not a question respecting a paltry viceroy; no, it is a question

honourable connexion, by which the co-operation of even a small number might be secured, in making some effort to stem that torrent which was carrying every thing before it. For that purpose our little party was then formed; it consisted of yourself, the late Duke of Leinster, that excellent Irishman the late Lord Ponsonby, Mr. George Ponsonby, Mr. Daly, Mr. Forbes and some very few others. It may not be for us to pronounce encomiums upon it, but we are entitled to say, that had it been as successful as it was honest, we might now look back to it with some degree of satisfaction."

* The late Lord Buckinghamshire.

between the body of the country and the administration; it is a charge against the government for opening the batteries of corruption against the liberties of the people. The grand inquest of the nation are called on to decide this charge; they are called on to declare whether they would appear as the prosecutors of the accomplices of corruption: for though the question relative to the division of the boards of stamps and accounts is in itself of little importance, yet will it develop a system of corruption tending to the utter destruction of Irish liberty, and to the separation of the connexion with England.

"Sir, I bring forward an act of the meanest administration that ever disgraced this country. I bring forward as one of the threads by which, united with others of similar texture, the vermin of the meanest kind have been able to tie down a body of strength and importance. Let me not be supposed to rest here; when the murderer left the mark of his bloody hand upon the wall, it was not the trace of one finger, but the whole impression which convicted him.*

"The board of accounts was instituted in Lord Townshend's administration: it came forward in a manner rather inauspicious; it was questioned in parliament, and decided by the majority of the five members who had received places under it. Born in corruption, it could only succeed by venality. It continued an useless board until the granting of the stamp duties in Lord Harcourt's time: the management of the stamps was then committed to it, and a solemn compact was made that the taxes should not be jobbed, but that both departments should be executed by one board. So it continued till it was thought necessary to increase the salaries of the commissioners in the Marquis of Buckingham's famous administration; but then nothing was held sacred: the increase of the revenue board, the increase of the ordnance, thirteen thousand pounds a year added to the infamous pension list, these were not sufficient, but a compact, which should have been held sacred, was violated in order to make places for members of parliament. How inde-

* The allusion here is probably to a little story popular among children in Ireland, which states that the murderer, intending to cover the whole mark with dust, left that of one finger unconcealed; but that he continued firmly to protest his innocence, until the removal of the dust convicted him, by displaying an impression corresponding exactly with the size of his hand. A similar circumstance is introduced in an old Spanish play.

cent! two county members prying into stamps! What could have provoked this insult? I will tell you: you remember when the sceptre was trembling in the hand of an almost expiring monarch; when a factious and desperate English minister attempted to grasp it, you stood up against the profanation of the English, and the insult offered to the Irish crown; and had you not done it, the union of the empire would have been dissolved. You remember this; remember then yourselves—remember your triumph: it was that triumph which exposed you to submit to the resentment of the vice-roy; it was that triumph which exposed you to disgrace and flagellation. In proportion as you rose by union, your tyrant became appalled; but when he divided, he sunk you, and you became debased. How this has happened, no man could imagine; no man could have suspected that a minister without talents could have worked your ruin. There is a pride in a great nation that fears not its destruction from a reptile; yet is there more than fable in what we are told of the Romans, that they guarded the Palladium, rather against the subtlety of a thief, than the force of an invader.

"I bring forward this motion, not as a question of finance, not as a question of regulation, but as a penal inquiry; and the people will now see whether they are to hope for help within these walls, or turning their eyes towards heaven, they are to depend on God and their own virtue. I rise in an assembly of three hundred persons, one hundred of whom have places or pensions; I rise in an assembly, one third of whom have their ears sealed against the complaints of the people, and their eyes intently turned to their own interest: I rise before the whisperers of the treasury, the bargainers and runners of the Castle; I address an audience before whom was held forth the doctrine, that the crown ought to use its influence on this house. It has been known that a master has been condemned by the confession of his slave, drawn from him by torment; but here the case is plain: this confession was not made from constraint; it came from a country gentleman, deservedly high in the confidence of administration, for he gave up other confidence to obtain theirs.

"I know I am speaking too plain; but which is the more honest physician, he who lulls his patient into a fatal security, or he who points out the danger and the remedy of the disease?

ST. ALBERT'S COLLEGE LIBRARY

"I should not be surprised if bad men of great talents should endeavour to enslave a people; but, when I see folly uniting with vice, corruption with imbecility, men without talents attempting to overthrow our liberty, my indignation rises at the presumption and audacity of the attempt. That such men should creep into power, is a fatal symptom to the constitution; the political, like the material body, when near its dissolution often bursts out in swarms of vermin.

"In this administration a place may be found for every bad man, whether it be to distribute the wealth of the treasury, to vote in the house, to whisper and to bargain, to stand at the door and note the exits and entrances of your members, to mark whether they earn their wages—whether it be for the hireling who comes for his hire, or for the drunken aid-de-camp who swaggers in a brothel; nay, some of them find their way to the treasury-bench, the political-musicians, or hurdygurdy-men, to pipe the praises of the viceroy.

"Yet notwithstanding the profusion of government, I ask, what defence have they made for the country, in case it should be invaded by a foreign foe? They have not a single ship on the coast. Is it then the smug aid-de-camp, or the banditti of the pension-list, or the infantine statesmen, who play in the sun-shine of the Castle, that are to defend the country? No, it is the stigmatised citizens. We are now sitting in a country of four millions of people, and our boast is, that they are governed by laws to which themselves consent; but are not more than three millions of the people excluded from any participation in making those laws? In a neighbouring country, twenty-four millions of people were governed by laws to which their consent was never asked; but we have seen them struggle for freedom—in this struggle they have burst their chains, and on the altar, erected by despotism to public slavery, they have enthroned the image of public liberty.

"But are our people merely excluded? No, they are denied redress. Next to the adoration which is due to God, I bend in reverence to the institutions of that religion, which teaches me to know his divine goodness! but what advantage does the peasant of the south receive from the institutions of religion? Does he experience the blessing? No, he never hears the voice of the shep-

herd, nor feels the pastoral crook, but when it is entering his flesh, and goading his very soul.

"In this country, sir, our king is not a resident; the beam of royalty is often reflected through a medium, which sheds but a kind of disastrous twilight, serving only to assist robbers and plunderers. We have no security in the talents, or responsibility of an Irish ministry; injuries which the English constitution would easily repel may here be fatal. I therefore call upon you to exert yourselves, to heave off the vile incumbrances that have been laid upon you. I call you not as to a measure of finance or regulation, but to a criminal accusation, which you may follow with punishment. I therefore, sir, most humbly move:

"That a humble address, be presented to his Majesty, praying that he will order to be laid before this house the particulars of the causes, consideration, and representations, in consequence of which the boards of stamps and accounts have been divided with an increase of salary to the officers; also that he will be graciously pleased to communicate to this house the names of the persons who recommended that measure."

To this speech, containing charges so grave and direct, and so demanding an equally solemn refutation if they were refutable, it is curious to observe the style of answer that was made. When appeals of this nature are received with contumely and mockery, it is perhaps among the most certain signs, that the legislature which can tolerate such a practice has completely survived its virtue.

Sir B. Roche.—"Though I am in point of consequence the smallest man amongst the respectable majority in this house, yet I cannot help feeling the heavy shower of the honourable gentleman's illiberal and unfounded abuse.

"If I had the advantage of being bred to the learned profession of the law, I should be the better enabled to follow the honourable gentleman through the long windings of his declamation; by such means I should be blessed with "*the gift of the gab*," and could declaim for an hour or two upon the turning of a straw, and yet say nothing to the purpose; then I could stamp and stare, and rend and tear, and look up to the gods and goddesses for approbation. Then in the violence of such declamation, I should suppose myself stand-

ing at the head of my shop (at the bar of the King's-bench) dealing out my scurrility by the yard to the highest bidder; my shop being well stored with all sorts of masquerade dresses, to suit all descriptions of persons. The Newgate criminal (if I was well paid for it) I would dress up in the flowing robes of innocence. The innocent man (being also well paid for it) I could cover him up in a cloak of infamy, that should stick as close to him as his regimentals.

"I am sorry to find that the military character does not seem to meet with the honourable gentleman's approbation. I profess myself to have had the honour to be bred a soldier, and if there is any thing amiable or praise-worthy in my character, I am entirely indebted to that school for it. If indeed I was bred a pettifogger, or a Newgate solicitor, I should be the better enabled to follow the learned gentleman through the variety of matter which he has introduced to the house. My right honourable friend,* upon the floor, is animadverted on and abused, because he is a soldier; but let me tell the honourable gentleman below me, that the high ground of his honour and character places him above the reach of his envenomed shafts, bearded with envy, hatred and malice.

* * * * * * * * * * * *

The viceroy of this country is surrounded by military gentlemen of the first families in both kingdoms; they are supposed to be out of the line of all politics, yet the indecent and disrespectful manner in which they are, on this occasion, held out in this house, does, in my apprehension, deserve the severest censure. I would, however, recommend it to the honourable gentleman to stop a little in his career of general abuse of men, who cannot be here to answer for themselves; lest those gentlemen (who never offended him) *might speak to him on the subject in another place.* Oh, shame! shame! shame and reprobation on such behaviour!"

After a long debate, Mr. Curran replied, and concluded with the following observations upon Sir Boyle Roche's language.

"We have been told this night in express words, that the man who dares to do his duty to his country in this house may expect to be attacked without those walls by the military gentlemen of the Castle. If the army had been directly or indirectly mentioned in

* Major Hobart.

the course of the debate, this extraordinary declaration might be attributable to the confusion of a mistaken charge, or an absurd vindication; but without connexion with the subject, or pretence of connexion with the subject, a new principle of government is advanced, and that is the bayonet; and this is stated in the fullest house, and the most crowded audience I ever saw. We are to be silenced by corruption within, or quelled by force of arms without. Nor is it necessary that those avowed principles of bribery and arms should come from any high personal authority; they have been delivered by the known retailers of administration, in the face of that bench, and heard even without a murmur of dissent, or disapprobation. As to my part, I do not know how it may be my destiny to fall; it may be by chance, or malady, or violence, but should it be my fate to perish the victim of a bold and honest discharge of my duty, I will not shun it. I will do that duty, and if it should expose me to sink under the blow of the assassin, and become a victim to the public cause, the most sensible of my regrets would be, that on such an altar there should not be immolated a more illustrious sacrifice. As to myself, while I live, I shall despise the peril. I feel, in my own spirit, the safety of my honour, and in my own and the spirit of the people do I feel strength enough to hold that administration, which can give a sanction to menaces like these, *responsible for their consequences to the nation and the individual.*"

Mr. Curran had soon occasion to act upon this last declaration. In a few days subsequent to the preceding debate, he was openly insulted by a person belonging to one of those classes, upon which he had accused the administration of squandering the public money. He accordingly deputed one of his friends, Mr. Egan, to acquaint the Secretary with the outrage that had been committed on him, in consequence of what he had asserted in the house of commons, and to express his expectation, "that Major Hobart would mark his sense of such an indignity offered to a member of parliament by one of his official servants, in the dismissal of the man from his service." To this application Major Hobart replied, that "he had no power to dismiss any man from the service of government," and after referring Mr. Curran to the house of commons, as the tribunal before

which he should complain of any breach of his privileges, expressed his surprise "that any application should have been made to him upon the occasion of an outrage committed by a person who was as much a stranger to him as he could be to Mr. Curran." Upon this, the following correspondence ensued:

"TO THE RIGHT HON. MAJOR HOBART.

March 28, 1790.

"Sir,

"A man of the name of * *, a conductor of your press, a writer for your government, your notorious agent in the city, your note-taker in the house of commons, in consequence of some observation that fell from me in that house on your prodigality, in rewarding such a man with the public money for such services, had the audacity to come within a few paces of me, in the most frequented part of this metropolis, and shake his stick at me in a manner, which, notwithstanding his silence, was too plain to be misunderstood. I applied to you to dismiss him, because he is your retainer, for whom you ought to be responsible. You have had recourse to the stale artifice of office, and have set up incapacity and irresponsibility against doing an act, which as a minister you were able, and which as a man of honour you should have been ready to do. As to your being a stranger to the man, you knew when you wrote it, that it was a pitiful evasion; I did not apply to the secretary to discard a companion, but to dismiss the runner of his administration. As to your attempt to shelter yourself under the lord lieutenant, who, during the continuance of his government, cannot be responsible for such outrages, you should have felt that to be equally unworthy of you. If such subterfuges were tolerated, every member of parliament, every gentleman of the country, who might become obnoxious to the Castle, would be exposed to personal violence from the ruffians of your administration. I should give up the cause of both, if I did not endeavour to check this practice, not in the person of the instrument, but of his abettor. I knew perfectly well the resentments I had excited by my public conduct, and the sentiments and declarations I have expressed con-

cerning your administration. I knew I might possibly become the victim of such declarations, particularly when I saw that an attempt at personal intimidation was part of the plan of government; but I was too deeply impressed with their truth to be restrained by any consideration of that sort from making them in public, or asserting them with my latest breath.

"Sir, I am aware that you could not be convicted of having actually commissioned this last outrage upon me; but that you have protected and approved it. I own I am very sorry that you have suffered so unjustifiable a sanction of one of your creatures to commit you and me personally. However, as you are pleased to disclaim the offender, and the power of punishing him, I feel I must acquiesce, whatever may be my opinion on the subject; and though you have forced upon me a conviction that you have sacrificed the principles of a man of honour to an official expediency. This sentiment I should have conveyed through my friend, but that it might possibly become necessary that our communication on this business should be public.

"I have the honour to be,
"Sir,
"Your obedient servant,
"JOHN P. CURRAN."

"TO JOHN PHILPOT CURRAN, ESQ.

"Dublin Castle, March 29, 1790.

"SIR,

"Your original application to me, through Mr. Egan, was, that Mr. —— should be dismissed from the service of government, for the insult which he had offered to you; or that government should co-operate with you in preferring a complaint to the House of Commons against him for a breach of their privileges. This application was, on the face of it, official; and, in answer to it, I pointed out to you, by direction of his excellency the lord-lieutenant, the only mode by which you could have the redress you had sought for the outrage of which you had complained. You have

now thought fit to desert the mode of official proceeding, and to couple a personal attack against me with an appeal to the public.

"Whatever are your hopes and motives in such a conduct, be assured, that the attempt of making your cause the cause of the public will never succeed. The public will never believe that I could have directly or indirectly instigated any man to insult you. They will see that the regular mode of redress was open to you, even the redress you at first effected to seek. You will never fasten a belief on the public that any man was mad enough to insult a member of parliament, merely for his having accused the government of prodigality in rewarding him: nor will all your ingenuity serve to entangle me in that transaction, merely because you are pleased to style Mr. —— my retainer; or to create a persuasion that I am personally responsible for the resentment of a servant of the government, who was placed in the situation which he now fills many years before I came into office. The public will view this matter in its true light; and they will clearly perceive, what no man can ever justify, that you have transferred to me the quarrel which another has provoked, for no one reason, but because you think it politic so to do.

"Your parade of the resentments which you boast to have excited by your public conduct, and your insinuation that an attempt at personal intimidation was part of the plan of government, I cannot condescend to notice. The public will never be the dupes of such a paltry affectation, to give a popular complexion to your quarrel.

As to your charge of my having sacrificed the principles of a man of honour to political expediency, the motive of the accusation is too evident to demand a reply. I trust to my own character for its refutation.

"I pity the condition of any man who feels himself reduced to the desperate expedient of endeavouring to wipe off the affronts and insults he has submitted to from others, by forcing a quarrel upon a man who never injured him in the remotest degree; and I am at a loss to conceive how such a conduct can be reconciled to the principles or feelings of a gentleman or a man of honour.

"Perhaps a man in a public situation, and who has given no of-

fence, might be well justified in appealing to the laws, if he should be personally called upon. I do not mean, sir, to avail myself of your example. You say, sir, that it may be necessary that the communication on this subject should be public: had you not said so, my answer to you would have been short indeed. I have the honour to be

"Your obedient humble servant,

"R. HOBART."

"P. S. Having put you in possession of my sentiments, I shall consider it unnecessary to answer any more letters."

"TO THE RIGHT HON. MAJOR HOBART.

"March 30, 1790.

"SIR,

"As I wish to stand justified to the public and to you for having had recourse to you on the present extraordinary occasion, I beg leave once more to trouble you with a few lines, to which no answer can be necessary. They will be addressed to you in that temper which the general purport of the last letter I had the honour to receive entitles you to expect.

"An unparalleled outrage was offered to me:—the person was beneath my resentment. In this very difficult situation to whom could I resort but his masters? and if to them, to whom but the first?

"I never charged you, sir, with instigating that man to such an act; but am sorry that I cannot add, that such a part has been taken to punish him as was necessary to acquit *all* your administration. I know perfectly well you found him in office, and also in certain lower confidential departments, which are more easily understood than expressed; and my complaint was, that, after such gross misconduct, he continued there.

"I beg leave to remind you, that I did not say that any man was mad enough to insult a member of parliament, merely for accusing government of prodigality in rewarding him; but I did say, and must repeat, that the insult upon me was made in consequence of my having arraigned the prodigality of rewarding *such* a man for

such services. Permit me to add, that you cannot but have reason to believe this to be the fact. Some of your court have talked freely upon the subject; and the man, by his own application of the word, has acknowledged his vocation and his connexion.

"I must still continue to think, that what you are pleased to call a quarrel is nothing but the result of my public conduct. Sure I am that I should have escaped the attacks that have been made upon my person and character, and this last among others, if that conduct had been less zealous and decided.

"As to your charge of my forcing a quarrel upon a man—"who never in the remotest degree injured you"—there is something in the expression, which I acknowledge excites in my mind a very lively concern. And it is an aggravation of the outrage upon me, that it left me no resort, save one painful to my feelings, but necessary to my situation.

"As to the insinuation which accompanies your expression of regret, I am sorry it should have escaped from Major Hobart. He cannot seriously mean that I should squander my person upon every ruffian who may make an attempt upon my life. In the discharge of political and professional duties, every man must expect to excite enemies. I cannot hope to be more fortunate; but I shall commit myself only with such as cannot disgrace me. A farther answer may be necessary to this part of your letter; but that, as it cannot be so properly conveyed in writing, my friend Mr. Egan will have the honour to explain. I have the honour to be,

"Sir,

"Your obedient servant,

"J. P. CURRAN."

A duel immediately followed, in which neither party received any injury.

In reviewing this transaction, it would not be difficult for any one, who should feel so disposed, to produce many arguments in support of the conclusion, that Mr. Curran's demand of personal satisfaction from the Irish minister was a departure from the usages of public life. Such a person would, however, leave out of his consideration the circumstances that provoked and that could

justify such a proceeding—the inflamed state of the times—the previous debate in parliament—the minister's tacit sanction of the menaces of his adherents—and Mr. Curran's remonstrance upon the occasion not having produced an observation that could deter the future insulter. The latter was the view which convinced himself and his friends that it was only by some such decisive measure as that which he adopted, that the privileges and persons of his party could be secured from farther violence. The particulars of the affair, however, are given here, not as a subject of controversy, but as a striking public fact, and an event in Mr. Curran's political life.

Mr. Curran's dispute and frequent collisions in parliament with Mr. Fitzgibbon have been already adverted to; and, in what has been hitherto related, the conduct of neither party has appeared marked by any peculiar aggravations: but the latter having now become Chancellor of Ireland, Lord Clare remembered the resentments of Mr. Fitzgibbon, and avenged the wounds he had received in the senate, by excluding Mr. Curran from all practice in his court.* Such a mode of reprisals has been generally reprehended as merely unmanly and ungenerous, but it was a great deal more. The misconduct of persons in elevated stations is seldom canvassed with the rigour necessary to their perfect reprobation. So much does power impose upon the understandings of men, that, almost trembling to scrutinize the offences that should be most exposed, they are rather satisfied to consider the enjoyment of high trust as a kind of apology for its violation. A judge setting his face against a particular advocate does not commit a simple act of

* This was effected by letting the public see that Mr. Curran had not (in the technical phrase) *the ear of the court*: and in this Lord Clare so entirely succeeded, that in a very little time no client would venture to entrust a chancery cause of any importance to the discountenanced advocate. Mr. Curran's loss of professional income was extreme. There was an immediate dimunition of 1000l. a year, which the Court of Chancery alone had produced; and this an increasing income. The aggregate of his loss he always estimated at 30,000l.

unkindness or indecorum; he offers as criminal an outrage as can be imagined to the most sacred privileges of the community. The claim of the subject to be heard with impartiality is not derived from the favour of the judge; it is a right, as independent of persons, and as sanctioned by law, as that which entitles the judge to sit upon the bench: it is the bounden duty of the latter to afford an honest unbiassed attention to every suitor in his court, or (what is equivalent) to such counsel as the suitor appoints to represent himself: when the judge, therefore, from motives of private or political dislike, refuses, on hearing of a cause, the fullest indulgence that legal proceedings admit, he not only unworthily marks out an obnoxious individual as the victim of his own angry passions, diminishing his credit, and thereby, perhaps, depriving him of his bread; but as far as in him lies, he directly tends to defraud the unoffending subject of his property, or his reputation, or his life; he does the same indirectly, by compelling the advocate, if he has a spark of the spirit befitting his station, to exhaust in resistance to such unseemly partiality a portion of that time and vigour which should be exclusively appropriated to the service of his client. These scenes of indecent strife too inevitably strip the seats of law of their character and influence; for who can look up with confidence or respect to a tribunal, where he sees faction domineering over equity, and the minister of justice degraded into a partisan?

This flagrant abuse of the judicial functions by Lord Clare has never incurred, in Ireland, all the odium that it merited—with his admirers it was a speck upon the sun, and his enemies had deeper crimes to execrate. The widely different deportment of his successors has also removed all present apprehensions of a repetition of such scenes; still the vicious model may find its imitators—the tramplers upon human rights are not peculiar to any generation; and wherever they do appear, their exposure should be insisted on as a future protection to the public; the characters of such men should be rendered an antidote to their example.

For this deadly injury inflicted on him by the highest law-officer in the kingdom, Mr. Curran was not tardy in taking signal vengeance. He saw that his enemy had advanced too far to recede—he disdained to conciliate him by submission or by mild expostula-

tion. To have acted with forbearance, or even with temper, (however amiable and prudent, had it been a private case) would have been in the present one, as he considered it, a desertion of what was to him above every personal consideration, of a great constitutional principle, involving the rights and securities of the client, and the honour and independence of the Irish bar. He was not insensible (it could hardly be expected that he should) to such an invasion of his feelings and his income; but in resisting it as he did, with scorn and exposure, he felt that he was assuming the proud attitude of a public man, contending against a noxious system of "frantic encroachments," of which he was the accidental victim; and that the result, however unproductive to his private interests, would, at least, show that the advocate was not to be scared from the performance of his duty by the terrors of contumely or pecuniary loss; and that though the judge might be for the moment victorious in the contest, his victory should cost him dear.

The opportunities of hurling direct defiance at Lord Clare might have now been rare. They could no longer meet in the House of Commons; and the Chancellor provided against a frequent intercourse in his court;* but an extraordinary occasion soon presented itself, and enabled the injured advocate to execute his objects of retaliation, in the dignified character of a public avenger, before an audience where every blow was more public and more humiliating.

The lord mayor of the city of Dublin is chosen by the board of aldermen, whose choice is confirmed, or disapproved, by the common council. In the year 1790, the board elected a person (Alderman James) whom the commons, without assigning the reasons of their disapprobation, successively rejected. Their real motive was

* The occasional style of their warfare in the Court of Chancery, for the little time that Mr. Curran continued to be employed there, may be collected from the following instance. Lord Clare had a favourite dog that sometimes followed him to the bench. One day, during an argument of Mr. Curran's, the Chancellor, in the spirit of habitual petulance which distinguished him, instead of attending to the argument, turned his head aside, and began to fondle the dog. The counsel stopped suddenly in the middle of a sentence—the judge started. "I beg pardon," said Mr. Curran, "I thought your Lordships had been in consultation; but as you have been pleased to resume your attention, allow me to impress upon your excellent understandings, that"—&c.

a determination to continue rejecting the names returned to them, until the election of the aldermen should fall upon a person attached to the popular cause. The board perceiving this, and denying that the common council had such a right of capricious rejection, returned no more, and broke up without having duly elected a lord mayor. Upon this the sheriffs and commons (according to the law that provided for such an event) proceeded to elect one, and fixed upon a popular candidate, Alderman Howison.

This contest between the board of Aldermen and the commons, after having undergone much violent discussion, and excited the utmost agitation in the metropolis, was now brought before the lord lieutenant and privy council (at which Lord Clare presided as Lord Chancellor) for their final decision. The council chamber was thrown open as a public court. The concourse of spectators, among whom were the most opulent and respectable citizens of Dublin, was immense. The question before the court was to be the mere legal construction of an act of parliament, but the Chancellor and the ministry notoriously favoured the pretensions of the board of aldermen, so that the question before the public was whether the rights of the city were to be treated with constitutional respect, or to be crushed by the despotic power of the Castle.

Upon this solemn and vital question, Mr. Curran appeared as one of the leading counsel for the commons and the object of their choice, Alderman Howison. He had not proceeded far in his argument before he showed that he did not mean to confine it to the literal and technical interpretation of a statute; but that, looking at the question as the public did, he should raise it from a cold legal discussion into a great constitutional struggle between the privileges of the subject and the influence of the Irish ministry. But he could not have taken a more infallible method of soon reducing it from a question of law, or of principle, into a personal contest between himself and the aristocratic chancellor. Accordingly their hostility immediately burst forth in the interruptions of the judge, and the contemptuous indifference with which they were treated by the advocate. At length, the latter (by way of allusion to the unconstitutional conduct of a former chancellor, Sir Constantine Phipps, upon a similar occasion) proceeded to draw the following

picture of his irritated enemy, in his own presence, and in that of the assembled community.*

" On grounds like these, for I can conceive no other, do I suppose the rights of the city were defended in the time to which I have alluded; for it appears, by the records which I have read, that the city was then heard by her counsel; she was not denied the form of defence, though she was denied the benefit of the law. In this very chamber did the chancellor and judges sit, with all the gravity and affected attention to arguments in favour of that liberty and those rights which they had conspired to destroy. But to what end, my lords, offer argument to such men? A little and a peevish mind may be exasperated, but how shall it be corrected by refutation? How fruitless would it have been to represent to that wretched chancellor, that he was betraying those rights which he was sworn to maintain; that he was involving a government in disgrace, and a kingdom in panic and consternation; that he was violating every sacred duty, and every solemn engagement that bound him to himself, his country, his sovereign, and his God! Alas! my lords, by what arguments could any man hope to reclaim or to dissuade a mean, illiberal, and unprincipled minion of authority, induced by his profligacy to undertake, and bound by his avarice and vanity to persevere? He would probably have replied to the most unanswerable arguments by some curt, contumelious, and unmeaning apothegm, delivered with the fretful smile or irritated self-sufficiency and disconcerted

* The person who was the most zealous in exciting a spirit of opposition in the common council was Mr. Tandy, a member of the Whig Club. Mr. Grattan, one of the most distinguished members of the same association, speaks thus of the above transaction: " An attack was made on the rights of the city. A doctrine was promulgated, that the common council had no right to put a negative on the lord mayor chosen by the board of aldermen, except the board itself should assent to the negative put on its own choice. This doctrine was advanced by the court, to secure the election of the mayor to itself. In the course of the contest, the minister involved himself in a personal altercation with the citizens;—with Mr. Tandy he had carried on a long war, and with various success. In the compass of his wrath, he paid his compliments to the Whig Club, and that club advanced the shield of a free people over the rights of the city, and humbled the minister, in the presence of those citizens, whose privileges he had invaded, and whose persons he had calumniated."—*Answer to Lord Clare's Pamphlet.*

Alderman Howison's counsel, Mr. Curran, and the late Mr George Ponsonby, were members of the Whig Club, and refused to accept any remuneration for their exertions upon this occasion.

arrogance: or even if he could be dragged by his fears to a consideration of the question, by what miracle could the pigmy capacity of a stunted pedant be enlarged to a reception of the subject? The endeavour to approach it would have only removed him to a greater distance than he was before, as a little hand that strives to grasp a mighty globe is thrown back by the reaction of its own efforts to comprehend. It may be given to an Hale or an Hardwicke to discover and retract a mistake: the errors of such men are only specks that arise for a moment upon the surface of a splendid luminary: consumed by its heat, or irradiated by its light, they soon purge and disappear; but the perversenesses of a mean and narrow intellect are like the excrescences that grow upon a body naturally cold and dark;—no fire to waste them, and no ray to enlighten, they assimilate and coalesce with those qualities so congenial to their nature, and acquire an incorrigible permanency in the union with kindred frost and kindred opacity. Nor indeed, my lords, except where the interest of millions can be affected by the folly or the vice of an individual, need it be much regretted, that to things not worthy of being made better, it hath not pleased Providence to afford the privilege of improvement."

Lord Clare.—"Surely, Mr. Curran, a gentleman of your eminence in your profession must see that the conduct of former privy councils has nothing to do with the question before us. The question lies in the narrowest compass; it is merely whether the commons have a right of arbitrary and capricious rejection, or are obliged to assign a reasonable cause for their disapprobation. To that point you have a right to be heard, but I hope you do not mean to lecture the council."

Mr. Curran.—"I mean, my lords, to speak to the case of my clients, and to avail myself of every topic of defence which I conceive applicable to that case. I am not speaking to a dry point of law, to a single judge, and on a mere forensic subject; I am addressing a very large auditory, consisting of co-ordinate members, of whom the far greater number is not versed in law. Were I to address such an audience on the interests and rights of a great city, and address them in the hackneyed style of a pleader, I should make a very idle display of profession, with very little information to those

I address, or benefit to those on whose behalf I have the honour to be heard. I am aware, my lords, that truth is to be sought only by slow and painful progress: I know also that error is in its nature *flippant and compendious; it hops with airy and fastidious levity over proofs and arguments, and perches upon assertion, which it calls conclusion.*"

Here Mr. Curran's triumph over his proud enemy was complete. The sarcastic felicity of this description of the unfavourable side of Lord Clare's mind and manner was felt by the whole audience. The Chancellor immediately moved to have the chamber cleared, and during the exclusion of strangers was understood to have ineffectually endeavoured to prevail upon the council to restrain the advocate from proceeding any further in that mode of argument which had given him so much offence.

From this period till the year 1794, Mr. Curran's public history consists principally of his parliamentary exertions. The Opposition "persisted to combat the project to govern Ireland by corruption:" for this purpose they brought forward a series of popular measures;* in the support of all of which Mr. Curran took a lead-

* The most important of these were Mr. Forbes's motion for a place bill, Mr. Grattan's for an inquiry into the sale of peerages, the Catholic question, parliamentary reform. The inquiry regarding the sale of peerages was twice moved; by Mr. Grattan in 1790, and by Mr. Curran in the following year: both motions failed, although the fullest evidence of the fact was offered. "I have proof," said Mr. Curran, "and I stake my character on producing such evidence to a committee, as shall fully and incontrovertibly establish the fact, that a contract has been entered into with the present ministers to raise to the peerage certain persons, on condition of their purchasing a certain number of seats in this house." Upon this last occasion Mr. Curran was loudly called to order, for having reminded the house "that they should be cautious in their decision on this question for they were *in the hearing of a great number of the people of Ireland.*" Mr. Grattan defended the expression, and thought the doctrine of censure passed upon it inconsistent with the nature of a popular assembly such as a house of commons: in support of this opinion he quoted an expression of Lord Chatham, who in the house of peers, where such language was certainly less proper than in a house of commons, addressed the peers, "My Lords, I speak not to your lordships; I speak to the public and to the constitution." "The words," added Mr. Grattan, "were at first received with some murmurs, but the good sense of the house and the *genius of the constitution* justified him." Mr. Curran, on resuming, repeated the expression, and was again interrupted by violent cries to order, which, however, he silenced by observing, "I do not allude to any strangers in your gallery, but I allude to the *constructive* presence of four millions of people, whom a serjeant at arms cannot keep unacquainted with your proceedings."—*Irish Parl. Deb.* 1791.

ing part. Lord Charlemont's biographer, who heard him upon all those occasions, says of him, "That he animated every debate with all his powers; that he was copious, splendid, full of wit, and life, and ardour." Of the justice of this praise sufficient proofs might be given, even from the loose reports of his speeches upon those questions; but it will be necessary in the following pages to offer so many examples of his forensic oratory, upon which his reputation so mainly depends, that his efforts in parliament become, as far as his eloquence is concerned, of secondary moment, and claim a passing attention, rather with reference to his history and conduct, than as necessary to his literary fame.

During the debate upon the same subject in the preceding year, Mr. Grattan produced a paper, and read as follows: "We charge them (the ministers) publicly, in the face of their country, with making corrupt agreements for the sale of peerages: for doing which, we say that they are impeachable: we charge them with corrupt agreements for the disposal of the money arising from the sale, to purchase for the servants of the Castle seats in the assembly of the people; for which we say that they are impeachable. We charge them with committing these offences, not in one, nor in two, but in many instances; for which complication of offences we say that they are impeachable; guilty of a systematic endeavour to undermine the constitution, in violation of the laws of the land. We pledge ourselves to convict them; we dare them to go into an inquiry; we do not affect to treat them as other than public malefactors; we speak to them in a style of the most mortifying and humiliating defiance; we pronounce them to be public criminals. Will they dare to deny the charge? I call upon and dare the ostensible member to rise in his place and say, on his honour, that he does not believe such corrupt agreements have taken place. I wait for a specific answer." Major Hobart avoided a specific answer. Six days after, Mr. Grattan, alluding to these charges, observed, "Sir, I have been told it was said that I should have been stopped, should have been expelled the commons, should have been delivered up to the bar of the lords for the expressions delivered that day. I will repeat what I said that day." After reciting the charges *seriatim* in the same words, he thus concluded, "I repeat these charges now, and if any thing more severe was on a former occasion expressed, I beg to be reminded of it, and I will again repeat it. Why do you not expel me now? Why not send me to the bar of the lords? Where is your adviser? Going out of the house I shall repeat my sentiments, that his majesty's ministers are guilty of impeachable offences, and advancing to the bar of the lords, I shall repeat these sentiments; and if the Tower is to be my habitation, I will there meditate the impeachment of these ministers, and return, not to capitulate, but to punish. Sir, I think I know myself well enough to say, that if called forth to suffer in a public cause, I will go further than my prosecutors both in virtue and in danger."

CHAPTER VIII.

State of parties—Trial of Hamilton Rowan—Mr. Curran's fidelity to his party—Rev. William Jackson's trial—Conviction—and Death—Remarks upon that trial—Irish informers—Irish juries—The influence of the times upon Mr. Curran's style of oratory.

The period was now approaching which afforded to Mr. Curran's forensic talents their most melancholy, but most splendid occasions of exertion. With this year (1794) commences the series of those historical trials which originated in the distracted condition of his country, and to the political interest of which his eloquence has now imparted an additional attraction.

From the year 1789 the discontents of Ireland had been rapidly increasing: the efforts of the opposition in parliament having failed to procure a reform of the abuses and grievances of which the nation complained, an opinion soon prevailed throughout the community that the Irish administration had entered into a formal design to degrade the country, and virtually to annul its lately acquired independence, by transferring the absolute dominion over it from the English parliament, which had previously governed it to the English cabinet, which was to be its future ruler. Without inquiring now into the truth of this opinion, it will be sufficient to observe, that, in the agitation of the many irritating questions that it involved, it soon appeared that Ireland had little hope of seeing them terminated by the gentle methods of argument or persuasion. The adherents of the administration, and their opponents, were agreed upon the fact of the universal discontent, and upon the dangers that it threatened; but they differed widely upon the measures that should be adopted for the restoration of repose.

The first were determined to use coercion. They seemed to think that popular excesses are almost solely the people's own creation—that they are naturally prone to disaffection—that complaints of grievances are resorted to as a mere pretext to gratify this propensity; and, consequently, that a provident government should vigorously resist every movement of discontent as the fear-

ful tokens of projected revolution. In conformity with these opinions it appeared to them that terror alone could tranquilize Ireland; and, therefore, that every method of impressing upon the public mind the power of the state, no matter how unpopular their nature, or how adverse to the established securities of the subject, should be adopted and applauded as measures of salutary restraint.

The truth and expediency of these doctrines were as firmly denied by others, who maintained that conciliation alone could appease the popular ferment. They deplored the general tendency to disaffection as notorious and undeniable; but they considered that there would have been more wisdom in preventing than in punishing it; that a very little wisdom would have been sufficient to prevent it; and that in punishing it now, the ministry were "combating, not causes, but effects." They denied that the great mass of the Irish, or of any community, were naturally prone to disaffection. "Their natural impulses (they observed, in replying to the advocates of coercion) are all the other way." Look into history; for one revolution, or attempt at revolution, of how many long and uninterrupted despotisms do we read; and, wherever such attempts occur, it is easy to assign the cause.—There is one, and only one way of measuring the excellence of any government—by considering the condition of the governed. No well governed people will desire to exchange real and present blessings for the danger and uncertainty of remote and fantastic speculations: and if ever they are found to commit their lives and fortunes to such desperate experiments, it is the most conclusive evidence that they are badly governed, and that their sufferings have impelled them "to rise up in vengeance, to rend their chains upon the heads of their oppressors." Look to the neighbouring example of France, and see what abominations an infuriated populace may be brought to practise upon their rulers and upon themselves. Let Ireland be saved from the possibility of such a crisis. The majority of its people are in a state of odious exclusion, visiting them in its daily consequences with endless insults and privations, which, being minute and individual, are only the more intolerable. Would it not be wise, then, to listen to their claim of

equal privileges, which, if granted, would give you the strongest security for their loyalty? There are other grievances—the notorious corruption of the legislature—the enormity of the pension list—and many more—of these the nation complains, and seems determined to be heard.* The times are peculiar; and, if the popular cry be not the voice of wisdom, it should at least be that of warning. The mind of all Europe is greatly agitated: a general distrust of governments has gone abroad; let that of Ireland exhibit such an example of virtue and moderation, as may entitle it to the confidence of the people. The people seem inclined to turbulence; but treat it as a disease rather than avenge it as a crime. Between a state and its subjects there should be no silly punctilio; their errors can never justify yours: you may coerce—you may pass intemperate laws, and erect unheard of tribunals, to punish what you should have averted—you may go on to decimate, but you will never tranquillize."†

These were in substance the views and arguments of the minority in the Irish House of Commons, and of the more reflecting and unprejudiced of the Irish community; but such mild doctrines had little influence with that assembly, or with the nation. By the parliament the few that advanced them were regarded as the advocates of the existing disorders, because they

* Every session the opposition, again and again, pressed upon the ministers the dangers to which their system was exposing the state. Thus Mr. Grattan observed, early in 1793, "They (the ministers) attempted to put down the constitution; but now they have put down the government. We told them so—we admonished them—we told them their driving would not do. Do not they remember how in 1790 we warned them? They said we were severe:—I am sure we were prophetic. In 1791 we repeated our admonition—told them that a government of clerks would not do—that the government of the treasury would not do—that Ireland would not long be governed by the trade of parliament; we told them that a nation, which had rescued her liberty from the giant of Old England, would not long bear to be trodden on by the violence of a few pigmies, whom the caprice of a court had appointed ministers." Mr. Curran's language was equally emphatic—"Ireland thinks, that, without an immediate reform, her liberty is gone:—I think so too. While a single guard of British freedom, either inernal or external, is wanting, Ireland is in bondage. She looks to us for her emancipation. She expects not impossibilities from us—but she expects honesty and plain dealing; and, if she finds them not, remember what I predict—she will abominate her parliament, and look for a reform to herself."—*Parl. Deb.* 1793.

† For an elaborate view of the state of Ireland, and of public opinion at this period, see Mr. Grattan's letter in the Appendix.

ventured to explain their origin, and to recommend the only cure; while the people were industriously taught to withdraw their confidence from public men, who, instead of justifying the popular resentments by more unequivocal co-operation, were looking forward to the impending crisis as an object of apprehension, and not of hope.

Such was the condition of the public mind—the government depending upon force—the people familiarising themselves to projects of resistance—and several speculative and ambitious men of the middle classes watching, with yet unsettled views, over the fermenting elements of revolution, until it should appear how far they could work themselves into union and consistency, when Mr. Archibald Hamilton Rowan* published an address to the volunteers of Ireland, setting forth the dangers with which the country was threatened from foreign and domestic foes, and inviting them to resume their arms for the preservation of the general tranquillity. This publication was prosecuted by the state as a seditious libel, and Mr. Curran was selected by Mr. Rowan to conduct his defence.

The speech in defence of Hamilton Rowan has been generally considered as one of Mr. Curran's ablest efforts at the bar. It is one of the few that has been correctly reported; and to that circumstance is, in some degree, to be attributed its apparent superiority. Notwithstanding the enthusiastic applause which its delivery excited, he never gave it any peculiar preference himself.

The opening of it has some striking points of resemblance to the exordium of Cicero's defence of Milo. If an imitation was intended by the Irish advocate, it was very naturally suggested by the coincidence of the leading topics in the two cases—the public interest excited—the unusual military array in the court—the great popularity of the clients—and the factious clamours which preceded their trials.†

* Mr. Rowen was secretary to the Society of United Irishmen in Dublin. It is proper to observe here, that this was one of the original societies of that denomination, whose views did not extend beyond a constitutional reform. They have been sometimes confounded with the subsequent associations, which, under the same popular appellation, aimed at a revolution.

† Nam illa præsidia, quæ pro templis omnibus cernitis, etsi contra vim collocata sunt, nobis afferunt tamen horroris aliquid: neque eorum quisquam,

"When I consider the period at which this prosecution is brought forward—when I behold the extraordinary safeguard of armed soldiers resorted to, no doubt, for the preservation of peace and order—when I catch, as I cannot but do, the throb of public anxiety, that beats from one end to the other of this hall—when I reflect on what may be the fate of a man of the most beloved personal character, of one of the most respected families of our country, himself the only individual of that family, I may almost say of that country—who can look to that possible fate with unconcern? Feeling, as I do, all these impressions, it is in the honest simplicity of my heart I speak, when I say that I never rose in a court of justice with so much embarrassment as on this occasion.

"If, gentlemen, I could entertain a hope of finding refuge for the disconcertion of my own mind in the perfect composure of yours; if I could suppose that those awful vicissitudes of human events that have been stated or alluded to, could leave your judgments undisturbed or your hearts at ease, I know I should form a most erroneous opinion of your character. I entertain no such chimerical hope—I form no such unworthy opinion—I expect not that your hearts can be more at ease than my own—I have no right to expect it; but I have a right to call upon you in the name of your country, in the name of the living God, of whose eternal justice you are now administering that portion which dwells with us on this side of the grave, to discharge your breasts, as far as you are able, of every bias of prejudice or passion—that, if my client be guilty of the offence charged upon him, you may give tranquillity to the public by a firm verdict of conviction; or, if he be innocent, by as firm a verdict of acquittal; and that you will do this in defiance of the paltry artifices and senseless clamours that have been resorted to, in order to bring him to his trial with anticipated conviction. And, gentlemen, I feel an additional necessity of thus conjuring you to be upon your guard, from the able and imposing statement which

quos undique intuentes cernitis, unde aliqua pars fori adspici potest, et hujus exitum judicii expectantes. non cum virtuti Milonis favet, tum de se, de liberis suis, de patria, de fortunis hodierno die decertari putat.

Unum genus est adversum infestumque nobis eorum, quos P. Clodii furor rapinis et incendiis et omnibus exitiis publicis pavit; qui hesterna etiam concione incitati sunt, ut vobis voce præirent, quid judicaretis.

you have just heard on the part of the prosecution. I know well the virtues and the talents of the excellent person who conducts that prosecution.* I know how much he would disdain to impose on you by the trappings of office; but I also know how easily we mistake the lodgement which character and eloquence can make upon our feelings, for those impressions that reason, and fact, and proof only ought to work upon our understandings."

When Mr. Curran came to observe upon that part of the publication under trial, which proposed complete emancipation to persons of every religious persuasion, he expressed himself as follows:

"Do you think it wise or humane, at this moment, to insult them (the Catholics) by sticking up in the pillory the man who dared to stand forth as their advocate? I put it to your oaths; do you think that a blessing of that kind, that a victory obtained by justice over bigotry and oppression, should have a stigma cast upon it by an ignominious sentence upon men bold and honest enough to propose that measure?—to propose the redeeming of religion from the abuses of the church, the reclaiming of three millions of men from bondage, and giving liberty to all who had a right to demand it?—Giving, I say, in the so much censured words of this paper—giving 'Universal Emancipation?'

"I speak in the spirit of the British law, which makes liberty commensurate with, and inseparable from, British soil; which proclaims even to the stranger and the sojourner, the moment he sets his foot upon British earth, that the ground on which he treads is holy, and consecrated by the genius of universal emancipation. No matter in what language his doom may have been pronounced—no matter what complexion incompatible with freedom, an Indian or an African sun may have burnt upon him—no matter in what disastrous battle his liberty may have been cloven down—no matter with what solemnities he may have been devoted upon the altar of slavery—the first moment he touches the sacred soil of Britain, the altar and the god sink together in the dust; his soul walks abroad in her own majesty; his body swells beyond the measure of his chains that burst from around him; and he stands redeemed, re-

* The Attorney-General, Mr. Wolfe, afterwards Lord Kilwarden.

generated, and disenthralled, by the irresistible genius of Universal Emancipation."

There is, farther on, a passage on the freedom of the press, too glowing and characteristic to be omitted:—

"If the people say, let us not create tumult, but meet in delegation, they cannot do it; if they are anxious to promote parliamentary reform in that way, they cannot do it; the law of the last session has, for the first time, declared such meetings to be a crime. What then remains?—The liberty of the press *only*—that sacred palladium which no influence, no power, no minister, no government, which nothing but the depravity, or folly, or corruption of a jury can ever destroy. And what calamities are the people saved from, by having public communication left open to them? I will tell you what they are saved from, and what the government is saved from. I will tell you also to what both are exposed, by shutting up that communication. In one case sedition speaks aloud, and walks abroad; the demagogue goes forth—the public eye is upon him—he frets his busy hour upon the stage; but soon either weariness, or bribe, or punishment, or disappointment, bear him down, or drive him off, and he appears no more. In the other case, how does the work of sedition go forward? Night after night the muffled rebel steals forth in the dark, and casts another and another brand upon the pile, to which, when the hour of fatal maturity shall arrive, he will apply the flame. If you doubt of the horrid consequences of suppressing the effusion even of individual discontent, look to those enslaved countries, where the protection of despotism is supposed to be secured by such restraints. Even the person of the despot there is never in safety. Neither the fears of the despot, nor the machinations of the slave, have any slumber; the one anticipating the moment of peril, the other watching the opportunity of aggression. The fatal crisis is equally a surprise upon both; the decisive instant is precipitated without warning, by folly on the one side, or by phrensy on the other; and there is no notice of the treason till the traitor acts. But if you wish for a nearer and more interesting example, you have it in the history of your own revolution; you have it at that memorable period when the monarch found a servile acquiescence in the ministers of his folly—when

the liberty of the press was trodden under foot—when venal sheriffs returned packed juries, to carry into effect those fatal conspiracies of the few against the many—when the devoted benches of public justice were filled by some of those foundlings of fortune, who, overwhelmed in the torrent of corruption at an early period, lay at the bottom like drowned bodies, while soundness or sanity remained in them; but, at length, becoming buoyant by putrefaction, they rose as they rotted, and floated to the surface of the polluted stream, where they were drifted along, the objects of terror, and contagion, and abomination.*

"In that awful moment of a nation's travail—of the last gasp of tyranny and the first breath of freedom, how pregnant is the example? The press extinguished, the people enslaved, and the prince undone. As the advocate of society, therefore, of peace, of domestic liberty, and the lasting union of the two countries, I conjure you to guard the liberty of the press, that great sentinel of the state, that grand detector of public imposture—guard it— because when it sinks there sinks with it, in one common grave, the liberty of the subject, and the security of the crown."

The concluding passage of this speech (of which the preceding extracts are inserted merely as examples of its style) contains one of those fine scriptural allusions, of which Mr. Curran made such frequent and successful use:—

"I will not relinquish the confidence that this day will be the period of his sufferings; and however mercilessly he has been hitherto pursued, that your verdict will send him home to the arms of his family and the wishes of his country. But if (which Heaven forbid) it hath still been unfortunately determined that, because he has not bent to power and authority, because he would not bow down before the golden calf and worship it, he is to be bound and

* Although it has been doubted by some who have observed upon this passage, whether its vigour could atone for the images that it presents, it may not be ungratifying to hear the manner in which it was suggested to the speaker's mind. A day or two before Mr. Rowan's trial, one of Mr. Curran's friends showed him a letter that he had just received from Bengal, in which the writer, after mentioning the Hindoo custom of throwing the dead into the Ganges, added, that he was then upon the banks of that river, and that, as he wrote, he could see several bodies floating down its stream. The orator shortly after, while describing a corrupted bench, recollected this fact, and applied it as above.

cast into the furnace; I do trust in God, that there is a redeeming spirit in the constitution, which will be seen to walk with the sufferer through the flames, and to preserve him unhurt by the conflagration."

If the expression of excited emotions by the auditors be the test of eloquence, this was the most eloquent of Mr. Curran's forensic productions. To applaud in a court of justice, is at all times irregular, and was then very rare; but both during the delivery and after the conclusion of this speech, the by-standers could not refrain from testifying their admiration by loud and repeated bursts of applause: when the advocate retired from the court, they took the horses from his carriage, which they drew to his own house; yet notwithstanding this public homage to his talents, the most grateful reward of his exertions was wanting—the jury, of whose purity very general suspicions were entertained, found a verdict against his client.*

In the beginning of the year 1795, Lord Fitzwilliam having become viceroy of Ireland, Mr. Curran was upon the point of being raised to the situation of solicitor general; but the sudden recal of that nobleman defeated this, as well as many other projected changes.

It should be mentioned here, that from the year 1789, frequent attempts were made by the adherents of the administration to detach Mr. Curran from the party, which he had formally joined, at that period. Every motive of personal ambition was held out to allure him, and all the influence of private solicitations exerted, but in vain. About this time, when the general panic was daily thinning the ranks of the opposition, his most intimate and attached friend, the late Lord Kilwarden (then the attorney general) frequently

* Mr. Rowan was sentenced to fine and imprisonment. In the month of June, 1794, Dr. William Drennan was prosecuted for the publication of the same libel. He was defended by Mr. Curran, and acquitted; not, however, on the merits of the imputed libel, but on failure of proof that Dr. Drennan had published it. On the first of the preceding May, Mr. Rowan effected his escape from prison, and fled to France. After a long exile, and many wanderings, he was permitted, a few years ago, to return to his country, where he now resides. An interesting communication from himself upon this subject will be found in Howell's State Trials for 1794.

urged him to separate himself from a hopeless cause, and to accept the rewards and honours that were so open to him. Upon one occasion, when Mr. Curran was confined by illness to his bed, that gentleman visited him, and renewing the subject, with tears in his eyes implored him to consult his interest and his safety: "I tell you (said Mr. Wolfe) that you have attached yourself to a desperate faction, that will abandon you at last; with whom you have nothing to expect but danger and disappointment. With us, how different would be your condition—I ask for no painful stipulations on your part, only say that you would accept of office—*my* situation will probably soon be vacant for you, and after that, the road would be clear before you." This proof of private affection caused Mr. Curran to weep, but he was unshaken; he replied, "that he knew, better than his friend could do, the men with whom he was associated; that they were *not* a desperate faction; that their cause was that of Ireland, and that even though it should eventually be branded with the indeliable stigma of failure, he should never regret that it was with such men, and such a cause, that he had linked his final destinies."

TRIAL OF THE REV. W. JACKSON.

The next state trial of importance in which Mr. Curran was engaged, was that of Mr. William Jackson, a case of which some of the attending circumstances were so singular, that they cannot be omitted here.

Mr. Jackson was a clergyman of the established church; he was a native of Ireland, but had for several years resided out of that country. A part of his life was spent in the family of the noted Duchess of Kingston, and he is said to have been the person who conducted that lady's controversy with the celebrated Foote.* At the period of the French revolution, he passed over to Paris, where

* Foote, at the close of his letter to her Grace, observes: "pray, madam, is not J——n the name of your female confidential secretary?" and afterwards, "that you may never want *the benefit of clergy* in every emergency, is the wish of

Yours, &c."

he formed political connections with the ruling powers there: from France he returned to London in 1794, for the purpose of procuring information as to the practicability of an invasion of England, and was thence to proceed to Ireland on a similar mission. Upon his arrival in London, he renewed an intimacy with a person named Cockayne, who had formerly been his friend and confidential attorney. The extent of his communications, in the first instance, to Cockayne did not exactly appear; the latter, however, was prevailed upon to write the directions of several of Jackson's letters, containing treasonable matters, to his correspondents abroad; but in a little time, either suspecting or repenting that he had been furnishing evidence of treason against himself, he revealed to the British minister, Mr. Pitt, all that he knew or conjectured relative to Jackson's objects. By the desire of Mr. Pitt, Cockayne accompanied Jackson to Ireland, to watch and defeat his designs, and as soon as the evidence of his treason was mature, announced himself as a witness for the crown. Mr. Jackson was accordingly arrested, and committed to stand his trial for high treason.

It did not appear that he had been previously connected with any of the political fraternities then so prevalent in Ireland, but some of them took so deep an interest in his fate, that the night before his trial, four persons of inferior condition, members of those societies, formed a plan (which, however, proved abortive) to seize and carry off Cockayne, and perhaps to despatch him, in order to deprive the government of the benefit of his testimony.*

Mr. Jackson was committed to prison in April, 1794, but his trial was delayed, by successive adjourments, till the same month in the following year. In the interval, he wrote and published a refutation of Paine's Age of Reason, probably in the hope that it

* Trial of John Leary for high treason, Dec. 28, 1795. This fact came out on the cross examination of Lawler, an informer, and the witness against the prisoner in this case. Lawler was one of the party that was to have seized Cockayne: he did not actually admit that he was to have been assassinated; but he allowed that the objection to such a measure was, "that if Cockayne were put to death, and the court should know it, the informations he had given could be read in evidence against Jackson." From the character of Lawler, however, it was generally suspected that assassination was intended.

might be accepted as an atonement.* He was convicted, and brought up for judgment on the 30th of April, 1795.†

It is at this stage of the proceedings that the case of Jackson becomes terribly peculiar. Never, perhaps, did a British court of justice exhibit a spectacle of such appalling interest as was witnessed by the king's bench of Ireland, upon the day that this unfortunate gentleman was summoned to hear his fate pronounced. He had a day or two before made some allusions to the subject of suicide. In a conversation with his counsel in the prison, he had observed to them that his food was always cut in pieces before it was brought to him, the gaoler not venturing to trust him with a

* Examples of honourable conduct, no matter by whom displayed, are heard with pleasure by every friend to human nature. Of such, a very rare instance was given by this gentleman during his imprisonment. For the whole of that period he was treated with every possible indulgence, a fact which is so creditable to the Irish government, that it would be unjust to suppress it. Among the other acts of lenity extended to him, was a permission to enjoy the society of his friends. A short time before his trial, one of these remained with him to a very late hour of the night; when he was about to depart, Mr. Jackson accompanied him as far as the place where the gaoler usually waited upon such occasions, until all his prisoner's visiters should have retired. They found the gaoler in a profound sleep, and the keys of the prison lying beside him. "Poor fellow!" said Mr. Jackson, taking up the keys, "let us not disturb him; I have already been too troublesome to him in this way." He accordingly proceeded with his friend to the outer door of the prison, which he opened. Here the facility of escaping naturally struck him—he became deeply agitated; but after a moment's pause, "*I could do it*," said he, "but what would be the consequences to you, and to the poor fellow within, who has been so kind to me? No! let me rather meet my fate." He said no more, but locking the prison door again, returned to his apartment. It should be added that the gentleman, out of consideration for whom such an opportunity was sacrificed, gave a proof upon this occasion that he deserved it. He was fully aware of the legal consequences of aiding in the escape of a prisoner committed under a charge of high treason, and felt that in the present instance, it would have been utterly impossible for him to disprove the circumstantial evidence that would have appeared against him; yet he never uttered a syllable to dissuade his unfortunate friend. He, however, considered the temptation to be so irresistible, that, expecting to find the prisoner, upon farther reflection, availing himself of it, he remained all night outside the prison door, with the intention, if Mr. Jackson should escape, of instantly flying from Ireland.

This anecdote is related in less detail by Mr. Thomas Addis Emmet, in Mac Neven's Pieces of Irish History.

† The report of Mr. Curran's defence of Jackson will be found in the lately published volume of Howell's State Trials. It was (as he observed himself) "a narrow case," and afforded few materials for the display of eloquence. The principal points which he urged, were the necessity of two witnesses (as in England) and the impeached character of the single witness, Cockayne.

knife or fork. This precaution he ridiculed, and observed, "that the man who feared not death, could never want the means of dying, and that as long as his head was within reach of the prison-wall, he could prevent his body's being suspended to scare the community." At the moment, they regarded this as a mere casual ebullition, and did not give it much attention.

On the morning of the 30th of April as one of these gentlemen was proceeding to court, he met in the streets a person warmly attached to the government of the day; the circumstance is trivial but it marks the party spirit that prevailed, and the manner in which it was sometimes expressed: "I have (said he) just seen your client, Jackson, pass by on his way to the king's bench to receive sentence of death. I always said he was a coward, and I find I was not mistaken; his fears have made him sick—as the coach drove by, I observed him with his head out of the window vomiting violently." The other hurried on to the court, where he found his client supporting himself against the dock; his frame was ina state of violent perturbation, but his mind was still collected. He beckoned to his counsel to approach him, and making an effort to squeeze him with his damp and nerveless hand, uttered in a whisper, and with a smile of mournful triumph, the dying words of Pierre:

"We have deceived the senate."*

The prisoners' counsel having detected what they conceived to be a legal informality in the proceedings, intended to make a motion in arrest of his judgment; but it would have been irregular to do so until the counsel for the crown, who had not yet appeared, should first pray the judgment of the court upon him. During the interval, the violence of the prisoner's indisposition momentarily increased, and the chief justice, Lord Clonmel, was speaking of remanding him, when the attorney general came in, and called upon the court to pronounce judgment upon him. Accordingly "the Reverend William Jackson was set forward," and presented a spectacle equally shocking and affecting. His body was in a state of profuse perspiration; when his hat was removed, a dense steam

* Otway's Venice Preserved.

was seen to ascend from his head and temples; minute and irregular movements of convulsions were passing to and fro upon his countenance; his eyes were nearly closed, and when at intervals they opened, discovered by the glare of death upon them, that the hour of dissolution was at hand. When called on to stand up before the court, he collected the remnant of his force to hold himself erect; but the attempt was tottering and imperfect: he stood rocking from side to side, with his arms in the attitude of firmness, crossed over his breast, and his countenance strained by a last proud effort into an expression of elaborate composure. In this condition he faced all the anger of the offended law, and the more confounding gazes of the assembled crowd. The clerk of the crown now ordered him to hold up his right hand; the dying man disentangled it from the other, and held it up, but it instantly dropped again! Such was his state, when in the solemn simplicity of the language of the law, he was asked, "What he had now to say why judgment of death and execution thereon, should not be awarded against him according to law?" Upon this Mr. Curran rose, and addressed some arguments to the court in arrest of judgment. A legal discussion of considerable length ensued. The condition of Mr. Jackson was all this while becoming worse. Mr. Curran proposed that he should be remanded, as he was in a state of body that rendered any communication between him and his counsel impracticable. Lord Clonmel thought it lenity to the prisoner to dispose of the question as speedily as possible. The windows of the court were thrown open to relieve him, and the discussion was renewed: but the fatal group of death tokens were now collecting fast around him; he was evidently in the final agony. At length, while Mr. Ponsonby, who followed Mr. Curran, was urging further reasons for arresting the judgment, their client *sunk in the dock*.*

* As soon as the cause of Mr. Jackson's death was ascertained, a report prevailed that his counsel had been previously in the secret, and that their motion in arrest of judgment was made for the sole purpose of giving their client time to expire before sentence could be passed upon him: but for the assertion of this fact, which, if true, would have placed them in as strange and awful a situation as can well be imagined, there was no foundation. So little prepared were they for such an event, that neither of his assigned counsel (Messrs. Curran and Ponsonby) appeared in court until a considerable time after the prisoner had been brought up. It was Mr.

The conclusion of the scene is given as follows in the reported trial.

Lord Clonmel. "If the prisoner is in a state of insensibility, it is impossible that I can pronounce the judgment of the court upon him."

Mr. Thomas Kinsley, who was in the jury box, said he would go down to him; he accordingly went into the dock, and in a short time informed the court that the prisoner was certainly dying.

By order of the court Mr. Kinsley was sworn.

Lord Clonmel. "Are you in any profession?"

Mr. Kinsley. "I am an apothecary."

Lord Clonmel. "Can you speak with certainty of the state of the prisoner?"

Mr. Kinsley. "I can; I think him verging to eternity."

Lord Clonmel. "Do you think him capable of hearing his judgment?"

Mr. Kinsley. "I do not think he can."

Lord Clonmel. "Then he must be taken away; take care that in sending him away no mischief be done. Let him be remanded until further orders; and I believe it as much for his advantage as for all yours to adjourn."

The sheriff informed the court that the prisoner was *dead*.

Lord Clonmel. "Let an inquisition, and a respectable one, be held on the body. You should carefully inquire by what means he died."

The court then adjourned, and the body of the deceased remained in the dock, unmoved from the position in which he had expired, until the following day, when an inquest was held. A large quantity of metallic poison was found in his stomach. The preceding day, a little before he was brought up to court, the gaoler having visited his room, found him with his wife, much agitated, and vomiting violently; he had just taken, he said, some tea,

M'Nally, who had been one of his assistant counsel upon the trial, and who found him in the condition above described, that first became acquainted with the fact of his having taken poison; and he, at the request of the unfortunate prisoner, rose as *amicus curiæ*, for the purpose of occupying the court till the others should arrive and make their intended motion. It was probably from this circumstance that the report originated.

which disagreed with him; so that there remained no doubt that the unfortunate prisoner, to save himself and his family the shame of an ignominious execution had anticipated the punishment of the laws by taking poison.

The following sentences, in his own hand writing, were found in his pocket.

"Turn thee unto me, and have mercy upon me, for I am desolate and afflicted."

"The troubles of my heart are enlarged: Oh bring thou me out of my distresses."

"Look upon my affliction and my pain, and forgive all my sins."

"Oh! keep my soul and deliver me. Let me not be ashamed, for I put my trust in thee."

Independent of this awful scene, the trial of Jackson was a memorable event. It was the first trial for high treason which had occurred in that court for upwards of a century. As a matter of legal and of constitutional interest, it established a precedent of the most vital (Englishmen would say, of the most fatal) importance to a community having any pretension to freedom. Against the authority of Coke, and the reasoning of Blackstone, and against the positive reprobation of the principle by the English legislature, it was solemnly decided in Jackson's case, that in Ireland one witness was sufficient to convict a prisoner upon a charge of high treason—"that the breath which cannot even taint the character of a man in England, shall in Ireland blow him from the earth.*" This decision has ever since been recognised and acted upon, to the admiration of that class of politicians (and they have abounded in Ireland) who contend, that in every malady of the state, blood should be plentifully drawn; and to the honest indignation of men of equal capacity and integrity, who consider that, without reason or necessity, it establishes an odious distinction, involving in it a disdain of what Englishmen boast as a precious privilege, alluring accusations upon the subject, and conferring security and omnipotence upon the informer.

It is a little singular to observe, in the state trials that followed, the effects of such a law, and to what a class of witnesses it familiar-

* Mr. Curran's defence of Jackson.

ized the Irish courts of justice. From the event it would appear, that there was as much of prophecy, as of constitutional zeal, in Mr. Curran's efforts to prevent its establishment, and afterwards to produce its repeal.* To say nothing but of a few of those cases in which he acted as counsel, the facts of Jackson, Weldon, M'Cann, Byrne, Bond, the Shearesses, Finney, rested almost entirely on the credibility, of a single witness. All of these, except the last, were

* Two days after Jackson's conviction, Mr. Curran moved in the house of commons for leave to bring in a bill for amending the law of Ireland in cases of high treason, and assimilating it with that of England.

The attorney general earnestly intreated of the mover to postpone the introduction of this bill, lest it might throw a character of illegality upon Jackson's conviction. He believed that the present difference in the law of the two countries (as to the number of witnesses required) did not arise from casual omission, but from serious deliberation: it was (he thought) rather necessary to strengthen the crown against the popular crime, than to strengthen the criminal against the crown.

Mr. Curran differed, and considered the rock on which criminal law generally split was its excessive severity. For the reason first assigned, however, he agreed to postpone the bill; but foreseeing its inevitable failure, he never brought it forward again.

In England, by different statutes regulating trials for high treason, two witnesses are required. (Algernon Sydney's attainder, as is well known, was reversed, because, among other reasons, there had been but one legal witness to any act of treason.) When those statutes were enacted in Ireland, the clauses requiring two witnesses were omitted. Upon Jackson's trial, therefore, the question was, what had been the old common law of England. Lord Coke lays it down, that by that law one witness was never sufficient. Judge Foster, differing from him, gives it as his, and as the general opinion, that two were not required by the common law. Of the same opinion is Serjeant Hawkins. These (according to the report of Jackson's trial) were the only authorities referred to by Lord Clonmel in deciding the point. For the contrariety of opinions upon this subject, see the proceedings in Sir J. Fenwick's case, State Trials.

It cannot be too much lamented, that in such an important particular, the law of the two countries should thus differ. The principle cannot be right in both. Inferior regulations may vary, but the laws that provide for the safety of the state and the security of the subject are not local ordinances; they are general laws, and should be founded on the principles which are to be derived from an experience of the operation of human passions, and of the value of human testimony. In Ireland, it has been said, that from the state of society, the crown demanded additional security: but the same argument applies as strongly the other way; for if any community is in such a state of demoralization that its members are found violating their oaths, and indulging their passions by frequent acts of treason, is it not equally clear that they will not refrain from doing the same by frequent acts of perjured evidence? Whoever will submit to the "penance" of reading the English or Irish state trials, will soon perceive that treason and perjury are always cotemporary crimes, and that the dangers of the crown and of the subject are at every period reciprocal and commensurate. Certainly, as the laws at present stand, either the English subject enjoys too many privileges, or the Irish too few; but that the former is not the case long experience has now incontestably established.

convicted; and that they were involved in the projects, for which they were tried and suffered, is now a matter of historical notoriety. Few, it is hoped, will maintain the dangerous principle, that the subject should have the inducement of impunity to conspire against the state—such a doctrine would bring instant ruin upon any society; but every friend to constitutional law will distinguish between the evidence that precedes a conviction and that which follows; he will remember that the forms of trial, and the legality of evidence, have not been established for the solitary purpose of punishing the guilty; that their most precious use is for the security of innocence; and that if, forejudging the real offender, we too hastily deprive him of a single privilege of defence, we establish a perilous rule that survives the occasion and extends beyond it, and of which those who never offended may hereafter be the victims. If the trials of the individuals just named be considered with reference to this view, they will be found to contain matter of important reflection. We may not feel justified in lamenting their personal fate—in giving to their memories "the traitorous humanity and the rebel tear," yet we cannot but be shocked at the characters of the persons by whose evidence they were carried off. These were all of them men of blighted reputation. It was not merely that they had been accomplices in the crimes which they came to denounce; and that, finding the speculation dangerous and unprofitable, they endeavoured to retrieve their credit and circumstances, by setting up as "loyal apostates." Deeper far was, if not their legal offence, their moral depravity. Dreadful were the confessions of guilt, of dishonour, and irreligion extorted from these wretches. If their direct examination produced a list of the prisoners' crimes, as regularly did their cross-examination elicit a darker catalogue of their own. In the progress of their career from participation to discovery, all the tender charities of life were abused—every sacred tie rent asunder. The agent, by the semblance of fidelity, extracted the secret of his client and his friend, and betrayed him!* The spy resorted to the habitation of his victim, and, while sharing his hospitality, and fondling his children,

* Jackson's Trial.

was meditating his ruin.* Here was to be seen the wild atheist, who had gloried in his incredulity, enjoying a lucid interval of faith, to stamp a legal value on his oath†—there the dishonest dealer, the acknowledged perjurer, the future murderer.‡

It has been often a matter of surprise that juries had not the firmness to spurn altogether the testimony of such delinquents. In England, upon a recent occasion,§ a jury did so; but in Ireland there raged, at this time, an epidemic panic. In the delirious fever of the moment, even though the juror might not have thirsted for the blood of the accused, he yet trembled for his own;—affrighted by actual danger, or by the phantoms of his disturbed imagination, he became blind or indifferent to the horrors of the immediate scene. The question was often not whether the witness was a man he could believe, but whether his verdict dare assert the contrary. Perhaps the more flagitious the witness, the more absolutely was he the tyrant of the juror's conscience. Any movements of humanity or indignation in the breast of the latter must have instantly been quelled by the recollection, that to yield to them might be to point out himself as an object of suspicion, and as the next experiment for an adventurous and irritated informer.

It is in the same circumstances that we are to look for an excuse (if excuse be necessary) for those impassioned appeals, for that

* Jackson's Trial and the Trial of the Sheareses. A few days before Cockayne had openly announced himself as an informer, he was invited to accompany Jackson to dine with a friend of the latter. After dinner, as soon as the wine had sufficiently circulated, Jackson, according to a previous suggestion from Cockayne, began to sound the political dispositions of the company, and particularly addressed himself to a gentleman of rank who sat beside him, and who, there has been subsequent reason to believe, was deeply involved in the politics of the time. During the conversation, Cockayne appeared to have fallen asleep; but, in the midst of it, the master of the house was called out by his servant, who informed him, that he had observed something very singular in Mr. Jackson's friend—"he has his hand," said the servant, "over his face, and pretends to be asleep, but when I was in the room just now I could perceive the glistening of his eye through his fingers." The gentleman returned to his guests; and, whispering to him, who was conversing with Jackson, to be cautious in his language, probably prevented some avowal which might eventually have cost him his life. Upon such trivial accidents do the fates of men depend in agitated times!

† Trial of the Sheareses.

‡ Finney's Trial; and the other State Trials of 1798.

§ Trial of Watson and others for high treason.

tone of high and solemn obtestation, by which Mr. Curran's professional efforts at this period are distinguished. In more tranquil times or in a more tranquil country, such enthusiasm may appear extravagant and unnatural; but it should be remembered, that, from the nature of the cases, and the character of his audience, his address often became rather a religious exhortation than a mere forensic harangue.* His situation was very different from that of the English advocate, who, presupposing in his hearers a respect for the great fundamental principles of law and of ethics, securely appeals to them, in the conviction, that, if his client deserves it, he shall have all their benefit. In Ireland the client was not certain of all their benefit. In Ireland, during those distracted days, every furious passion was abroad. The Irish advocate knew that the juries with whom he had to deal were often composed of men whose feelings of humanity and religion were kept under by their political prejudices—that they had already foredoomed his client to the grave—that, bringing with them the accumulated animosities of past centuries, they came less to try the prisoner than to justify themselves, and make their verdict a vote of approbation upon the

* Of this, examples will occur in the following pages. Upon inferior occasions we find him impressing the most obvious political truths, by a simplicity of illustration, which shows the description of men among whom he was thrown. When he wished to explain to a jury, "that their country could never be prosperous, or happy, without a general participation of happiness to all its people," he thus proceeds:—"A privileged order in a state may, in some sort, be compared to a solitary individual separated from the society, and unaided by the reciprocal converse, affections, or support of his fellow men. It is like a tree standing singly on a high hill, and exposed to the rude concussions of every varying blast, devoid of fruit or foliage. If you plant trees around it, to shade it from the inclemency of the blighting tempest, and secure to it its adequate supply of sun and moisture, it quickly assumes all the luxuriance of vegetation, and proudly rears its head aloft, fortified against the noxious gales which agitate and wither the unprotected brambles lying without the verge of the plantation. Upon this principle acted the dying man, whose family had been disturbed by domestic contentions. Upon his death-bed he calls his children around him; he orders a bundle of twigs to be brought; he has them untied; he gives to each of them a single twig; he orders them to be broken, and it is done with facility; he next orders the twigs to be united in a bundle, and directs each of them to try his strength upon it. They shrink from the task as impossible. 'Thus, my children (continued the old man) it is union alone that can render you secure against the attempts of your enemies, and preserve you in that state of happiness which I wish you to enjoy."

Speech in Defence of Bird, Hamill, and others, tried at Drogheda, 1794.

politics of their party.* To make an impression upon such men, he had to awaken their dormant sympathies by reiterated statements of the first principles of morals and religion: he addressed himself to their eternal fears, his object being frequently, not so much to direct their minds to the evidence or the law, as to remind them of the christian duties; and even in those cases, where both law and fact were upon his side, and where, under other circumstances, he might have boldly demanded an acquittal, he was in reality labouring to extort a pardon.

It was with the same view that he so often made the most impassioned appeals, even to the bench, when he saw that its political feelings were hostile to the interests of his client. Thus, upon

* The following observations of Mr. Curran will give some idea of the juries of those days: he is addressing a jury impanelled to try the validity of a challenge.

"This is no common period in the history of the world—they are no ordinary transactions that are now passing before us. All Europe is shaken to its centre; we feel its force, and are likely to be involved in its consequences. There is no man who has sense enough to be conscious of his own existence, who can hold himself disengaged and unconcerned amidst the present scenes: and, to hear a man say that he is unbiassed and unprejudiced, is the surest proof that he is both. Prejudice is the cobweb that catches vulgar minds; but the prejudices of the present day float in the upper regions—they entangle the lofty heads—they are bowing them down—you see them as they flutter, and hear them as they buz. Mr. —— has become a very public and a very active man: he has his mind, I doubt not, stored with the most useful and extensive erudition—he is clothed with the sacred office of a minister of the gospel—he is a magistrate of the county—he is employed as agent to some large properties—he is reputably connected, and universally esteemed, and therefore is a man of no small weight and consideration in this county. He has more than once positively sworn that he applied to the high sheriff—that he struck off no names but those that wanted freeholds; but to day he finds that freeholders were struck off *by his own pen*—he tells you, my lords, and gentlemen triers, with equal modesty and ingenuity, that he has made a *mistake*—he returns eighty-one names to the sheriff—he receives blank summonses, fills what he deems convenient, &c. Gracious heaven! what are the courts of justice? what is trial by jury? what is the country brought to? Were it told in the courts above—were it told in other countries—were it told in Westminster Hall, that such a man was permitted to return nearly one half of the grand panel of the county from one particular district,—a district under severe distress,—to which he is agent, and on which, with the authority he possesses, he is able to bring great calamity! He ascends the pulpit with the gospel of benignity and peace—he endeavours to impress himself and others with its meek and holy spirit:—he descends—throws off the purple—seizes the insurrection act in the one hand, and the whip in the other—flies by night and by day after his game; and, with his heart panting, his breath exhausted, and his belly on the ground in the chase, he turns round, and tells you that his mind is unprejudiced—that his breast is full of softness and humanity."—*Down Assizes*, 1795.

the trial of Hamilton Rowan, the principal witness for the crown having deposed that he had seen Mr. Rowan at a meeting of United Irishmen, consisting of one hundred and fifty persons, and his evidence upon this most material fact having been impeached, the chief justice (Lord Clonmel) in his charge to the jury, observed, "One hundred and fifty volunteers, or United Irishmen, and not one comes forward! Many of them would have been proud to assist him (the traverser.) *Their silence speaks a thousand times more strongly than any cavilling upon this man's credit—the silence of such a number is a volume of evidence in support of the prosecution.*"* Upon a motion for a new trial, Mr. Curran, in commenting upon those expressions, could not refrain from exclaiming, "I never before heard an intimation from any judge to a jury that bad evidence, liable to any and every exception, ought to receive a sanction from the silence of the party. With anxiety for the honour and religion of the law, I demand it of you, must not the jury have understood that this silence was evidence to go to them? Is the meaning contained in the expression 'a volume of evidence' only insinuation? I do not know where any man could be safe—I do not know what any man could do to screen himself from prosecution —I know not how he could be secure, even when he was at prayers before the throne of Heaven, that he was not passing that moment of his life, in which he was to be charged with the commission of some crime to be expiated to society, by the loss of his liberty or of his life—I do not know what shall become of the subject, if the jury are to be told that the silence of a man charged is 'a volume of evidence,' that he is guilty of the crime. Where is it written? I know there is a place where vulgar phrensy cries out that the public instrument must be drenched in blood—where defence is gagged, and the devoted wretch must perish. But even there the victim of such tyranny is not made to fill, by voluntary silence, the defects of his accusation; for his tongue is tied, and therefore no advantage is taken of him by construction: it cannot be there said that his not speaking is 'a volume of evidence' to

* This passage of Lord Clonmel's charge was omitted, and, no doubt, designedly, in the original edition of Hamilton Rowan's trial, published in Dublin. See a note of the London Editor.—*State Trials*, 1794.

prove his guilt." After some farther observations, he thus concluded his argument—"You are standing on a narrow isthmus, that divides the great ocean of duration—on the one side of the past, on the other of the future—a ground, that, while you yet hear me, is washed from beneath your feet. Let me remind you, my lords, while your determination is yet in your power—*dum versatur adhuc intra penetralia Vestæ*—that on that ocean of the future you must set your judgment afloat; and future ages will assume the same authority which you have assumed; posterity will feel the same emotions which you have felt, when your little hearts have beaten, and your infant eyes have overflowed at reading the sad story of the sufferings of a Russel or a Sydney."

All this has been represented as very strange, and even absurd, by those who would not reflect upon the state of the times, and the necessity which it imposed upon the advocate of addressing the passions which he knew to be actuating his hearers, no matter to what order of the community they might belong.

CHAPTER IX.

Mr. Curran moves an address to the throne for an inquiry into the state of the poor—Other parliamentary questions—Mr. Ponsonby's plan of reform rejected—Secession of Mr. Curran and his friends—Orr's trial—Finnerty's trial—Finney's Trial—The informer James O'Brien.

In May, 1795, Mr. Curran moved an address to the throne upon the distresses of Ireland, the recal of Lord Fitzwilliam, and the misconduct of his majesty's ministers in their government of Ireland. It was not expected by the opposition that this motion would be carried: their object in bringing it forward was merely to leave a record of their opinions upon the subjects contained in the address.* Mr. Curran prefaced his motion by a long speech, in the

* This address, after a few prefatory clauses stating the attachment of the commons to his majesty's person, and the monarchical form of government, and their late extraordinary supplies for carrying on the present most eventful war, proceeds—

That we were the more induced to this, from a zeal for his majesty's service, and an attachment to Great Britain; but accompanied with an expectation that our extraordinary grants would be justified to our constituents by a reform, under a patriot viceroy, of the various and manifold abuses that had taken place in the administration of the Irish government; a reformation which we conceived, in the present times, and under such an increase of debt and taxes, indispensable, and which we do, therefore, most humbly persist to implore and expect.

That, after the supply was granted and the force voted, and whilst the chief governor, possessing the entire confidence of both houses of parliament, and the approbation of all the people, was reforming abuses, and putting the country in a state of defence, he was suddenly and prematurely recalled, and our unparalleled efforts for the support of his majesty answered by the strongest marks of the resentment of his ministers.

That, in consequence of such a proceeding, the business of government was interrupted, the defence of the country suspended, the unanimity, which had under the then lord-lieutenant existed, converted into just complaint and remonstrance, and the energy, confidence, and zeal of the nation, so loudly called for by his majesty's ministers, were, by the conduct of those very ministers themselves, materially affected.

That these their late proceedings aggravated their past system; in complaining of which, we particularly refer to the notorious traffic of honours—to the removal of the troops contrary to the law, and in total disregard of the solemn compact with the nation and safety of the realm—to the criminal conduct of government respecting the Irish army—to the disbursements of sums of money, without account or authority—to the improvident grant of reversions, at the expense of his majesty's interest, sacrificed, for the emolument of his servants, to the conduct of his majesty's ministers in both countries, towards his protestant and catholic subjects of Ireland, alternately

course of which he emphatically warned the house of the dangers that impended over the public tranquillity; but upon this, as upon many former occasions, his predictions were disregarded. "I know," said he, "that this is not a time when the passions of the public ought to be inflamed; nor do I mean to inflame them—(*murmurs from the other side of the house*). Yes, I speak not to inflame; but I address you in order to allay the fever of the public mind. If I had power to warn you, I would exert that power in order to diminish the public ferment—in order to show the people that they have more security in your warmth than they can have in their own heat—that the ardour of your honest zeal may be a salutary ventilator to the ferment of your country—in order that you may take the people out of their own hands, and bring them within your guidance. Trust me, at this momentous crisis, a firm and tempered sensibility of injury would be equally honourable to yourselves and beneficial to the nation: trust me, if, at a time when every little stream is swollen into a torrent, we alone should be found to exhibit a smooth, and listless, and frozen surface, the folly of the people may be tempted to walk across us; and, whether they should suppose they were only walking upon ice, or treading upon corruption, the rashness of the experiment might be fatal to us all."

In the beginning of the following year Mr. Curran moved "that a committee should be appointed to inquire into the state of the lower orders of the people," to whose wretchedness he attributed the prevailing discontents; but his motion was, as usual, "suffocated by the question of adjournment." He also distinguished himself by his support of Mr. Grattan's amendments to the addresses in this year, by his exertions on the question of catholic

practising on their passions, exciting their hope, and procuring their disappointment.

That, convinced, by the benefits which we have received under his majesty's reign, that the grievances of which we complain are as unknown to his majesty as abhorrent from his paternal and royal disposition,

We, his Commons of Ireland, beg leave to lay ourselves at his feet, and, with all humility to his majesty, to prefer, on our part, and on the part of our constituents, this our just and necessary remonstrance against the conduct of his ministers; and to implore his majesty that he may be graciously pleased to lay his commands upon his minister to second the zeal of his Irish parliament in his majesty's services, by manifesting in future to the people of Ireland due regard and attention.

emancipation, and by his opposition to the suspension of the habeas corpus act.

His last parliamentary effort was in the debate on Mr. William Brabazon Ponsonby's plan of parliamentary reform,* which included catholic emancipation, and was brought forward by the opposition as a final experiment to save Ireland from the horrors of the impending rebellion. By the late report of the secret committee, it had appeared that extensive associations for treasonable objects existed throughout the country: the administration considered that force alone should be resorted to—the opposition were as decided that conciliation, and conciliation alone, would restore tranquillity. The ostensible objects of the conspiracy were reform and catholic emancipation: the administration admitted that these were merely pretexts, and that revolution was the real though covert design; but they argued "that the house ought to make a stand, and say that *rebellion must be put down*, before the grievances that were made its pretext should be even discussed." To this it was answered by Mr. Curran, "if reform be only a pretence, and separation be the real objects of the leaders of the conspiracy, confound the leaders by destroying the pretext, and take the followers to yourselves. You say they are 100,000—I firmly believe they are three times the number,—so much the better for you. If these seducers can attach so many followers to rebellion, by the hope of reform through blood, how much more readily will you engage them, not by the promise, but the possession, and without blood. Reform (he continued) is a necessary change of mildness for coercion: the latter has been tried, and what is its success? The convention bill was passed to punish the meetings at Dungannon and those of the catholics: the government considered the catholic concessions as defeats that called for vengeance—and cruelly have they avenged them; but did that act, or those which followed, put down those meetings? the contrary was the fact; it most foolishly concealed them. When popular discontents are abroad, a wise government should put them into an hive of glass; you hid them. The association at first was small—the earth seemed

* May 15, 1790.

to drink it as a rivulet; but it only disappeared for a season: a thousand streams, through the secret windings of the earth, found their way to one source, and swelled its waters; until at last, too mighty to be contained, it burst out a great river, fertilizing by its exundations, or terrifying by its cataracts. This was the effect of your penal code—it swelled sedition into rebellion. What else could be hoped from a system of terrorism? Fear is the most transient of all the passions—it is the warning that nature gives for self-preservation; but when safety is unattainable, the warning must be useless, and nature does not therefore give it. The administration mistook the quality of penal laws: they were sent out to abolish conventicles; but they did not pass the threshold, they stood centinels at the gates: You thought that penal laws, like great dogs, would wag their tails to their masters, and bark only at their enemies: you were mistaken; they turn and devour those they were meant to protect, and were harmless where they were intended to destroy. Gentlemen, I see, laugh—I see they affect to be still very ignorant of the nature of fear:—this cannot last;—neither, while it does, can it be concealed:—the feeble glimmering of a forced smile is a light that makes the cheek look paler. Trust me, the times are too humanized for such systems of government—humanity will not execute them; but humanity will abhor them, and those who wished to rule by such means. We hoped much, and, I doubt not, meaned well by those laws; but they have miserably failed us: it is time to try milder methods. You have tried to force the people: but the rage of your penal laws was a storm that only drove them in groups to shelter. Before it is too late, therefore, try the better force of reason, and conciliate them by justice and humanity. Neither let us talk of innovation—the progress of nature is no innovation—the increase of people, the growth of the mind, is no innovation, unless the growth of *our* minds lag behind. If we think otherwise, and consider it an innovation to depart from the folly of our infancy, we should come here in our swaddling clothes; we should not innovate upon the dress more than the understanding of the cradle.

"As to the system of peace now proposed, you must take it on its principles; they are simply two—the abolition of religious dis-

abilities, and the representation of the people. I am confident the effects would be every thing to be wished; the present alarming discontent will vanish, the good will be separated from the ill-intentioned; the friends of mixed government in Ireland are many —every sensible man must see that it gives all the enjoyment of rational liberty, if the people have their due place in the state. This system would make us invincible against a foreign or domestic enemy; it would make the empire strong at this important crisis; it would restore to us liberty, industry, and peace, which I am satisfied can never by any other means be restored."

The counsels of peace and conciliation which Mr. Curran and his friends now proposed to the parliament were the last which they had to offer; and finding that they were to be rejected, they resolved to take no farther part in deliberations, where their interference was so unavailing. "I agree, (said Mr. Curran, in conclusion) that unanimity at this time is indispensable; the house seems pretty unanimous for force; I am sorry for it, for I bode the worst from it: I shall retire from a scene where I can do no good, and where I certainly should disturb that unanimity; I cannot, however, go without a parting entreaty, that men would reflect upon the awful responsibility in which they stand to their country and their conscience, before they set an example to the people of abandoning the constitution and the law, and resorting to the terrible expedient of force."

Mr. Grattan, who followed Mr. Curran, concluded his speech by announcing the same intention:—"Your system is perilous indeed. I speak without asperity; I speak without resentment; I speak, perhaps, my delusion, but it is my heartfelt conviction; I speak my apprehension for the immediate state of our liberty, and for the ultimate state of the empire; I see, or imagine I see, in this system, every thing which is dangerous to both; I hope I am mistaken, at least I hope I exaggerate; possibly I may; if so, I shall acknowledge my error with more satisfaction than is usual in the acknowledgment of error. I cannot, however, banish from my memory the lesson of the American war, and yet at that time, the English government was at the head of Europe, and was possessed of resources comparatively unbroken. If that lesson has no effect

on ministers, surely I can suggest nothing that will. We have offered you our measure—you will reject it; we deprecate yours—you will persevere; having no hopes left to persuade or to dissuade, and having discharged our duty, we shall trouble you no more, and *after this day shall not attend the House of Commons.*"

A few weeks after the secession of the opposition, Mr. Grattan addressed a letter to the citizens of Dublin upon the part of himself and the other members of the minority, to explain their motives in taking that step. This letter, besides being a splendid monument of the writer's genius, is an important historical document, and when confronted with the reports of secret committees and similar official statements, will show what an imperfect idea they convey of the real condition of the times. (*See the Appendix*).

TRIAL OF MR. P. FINNERTY.

Mr. Curran's next great professional exertion was in the defence of Mr. Finnerty, who was tried in December, 1797, for a libel on the government and person of the viceroy (Lord Camden). The subject of the libel was the trial and execution of a person named William Orr, which had taken place a little before. Orr, who had been committed on a charge of High Treason, was arraigned on an indictment framed under the Insurrection Act, for administering unlawful oaths, and convicted. A motion in arrest of judgment was made, in the argument upon which Mr. Curran, who was his leading counsel, is said to have displayed as much legal ability and affecting eloquence as upon any occasion of his life. This argument is so imperfectly reported as to be unworthy of insertion. It contains, however, one striking example of that peculiar idiom in which he discussed the most technical questions; in contending that the Act, under which his client was tried, had expired, he observes, "the mind of the judge is the repository of the law that *does exist*, not of the law that *did exist;* nor does the mercy and justice of our law recognize so disgraceful an office, as that of a judge becoming a sort of *administrator to a dead statute*, and *collecting the debts of blood that were due to it in its lifetime.*"

Another of his arguments for arresting the judgment was, "that

the state had no right to wage a piratical war against the subject under false colours :"—that Orr's offence, (supposing the informer who gave evidence against him to have sworn truly) amounted to High Treason, and that he should therefore have been indicted under the constitutional statute relating to that crime, from which the accused derive so many privileges of defence. It may be necessary to inform some readers, that when acts of High Treason are made merely *felony* by a particular statute, the persons under trial lose, among other advantages, the benefit of their counsel's address to the jury, to which, had they been indicted for High Treason, they would have been entitled. Upon such occasions, when Mr. Curran, in addressing the court upon questions of law, happened to let fall any observations upon the general merits of the case, he had to sustain the reproach of "attempting to *insinuate* a speech to the jury."

But all his efforts were unavailing; his legal objections were overruled by the bench; and in answer to what he had addressed to the feelings of the court, the presiding judge, Lord Yelverton, from whose mind classical associations were never absent, adverted to a passage in the history of the Roman commonwealth, where, after the expulsion of the Tarquins, it was attempted by the Patricians to restore royalty; and the argument made use of was, "that a government by laws was stern and cruel, inasmuch as laws had neither hearts to feel, nor ears to hear; whereas government by kings was merciful, inasmuch as the sources of humanity and tenderness were open to entreaty."* "For my part, (added his Lordship) I am acting under a government by laws, and am bound to speak the voice of the law, which has neither feeling nor passions."

But this excellent and feeling judge soon showed how little of legal insensibility belonged to his own nature. When he came to

* Regem hominem esse, a quo impetres ubi jus, ubi injuria opus sit—esse gratiæ locum, esse beneficio, et irasci et ignoscere posse—inter amicum atque inimicum discrimen nosse. Leges rem surdam, inexorabilem esse, salubriorem melioremque inopi, quam potenti—nihil laxamenti nec veniæ habere, si modum excesseris.—*Tit. Liv. lib. 2.*

Lord Yelverton was considered as one of the most accomplished classical scholars of his time. An unfinished translation of Livy (his favourite historian) remains among his papers.

pronounce sentence of death upon the prisoner, he was so affected as to be scarcely audible, and the fatal words were no sooner concluded than he burst into tears, and sinking his head between his hands, continued for many minutes in that attitude of honourable emotion.

The prisoner was recommended by the jury to mercy, but, after receiving no less than three respites, was finally executed. He died, protesting his innocence; and though such a declaration be very doubtful evidence of the fact, (for who, about to suffer for a political crime, would not prefer to be remembered as a martyr), still there were, in the case of Orr, some corroborating circumstances, which render it a matter of surprise and regret that they should have been disregarded. His previous life and character had been irreproachable: subsequent to his trial, it appeared that the informer, upon whose evidence he had been convicted, had, according to his own confession, perjured himself on a former occasion, and had been in other particulars a person of infamous conduct and reputation; but above all, the circumstances under which the verdict was found against Orr pointed him out, if not as an object constitutionally entitled to mercy, at least as one to whom it would have been an act of salutary mildness to have extended it. The jury had continued from seven o'clock in the evening till six on the following morning considering their verdict; in the interval, spirituous liquor had been introduced into the jury-room, and intimidation used to such as hesitated to concur with the majority. To these latter facts two of the jury made a solemn affidavit in open court, before the judge who tried the cause.

Upon these proceedings, a very severe letter of remonstrance to the viceroy appeared in the Press newspaper, of which Mr. Finnerty was the publisher; and the letter being deemed a libel, the publisher was brought to immediate trial.

Mr. Curran's address to the jury in this case must be considered, if not the finest, at least the most surprising specimen of his oratorical powers. He had had no time for preparation; it was not till a few minutes before the cause commenced that his brief was handed to him. During the progress of the trial he had occasion to speak at unusual length to questions of law that arose upon the evi-

dence; so that his speech to the jury could necessarily be no other than a sudden extemporaneous exertion: and it was, perhaps, a secret and not unjustifiable feeling of pride at having so acquitted himself upon such an emergency that inclined his own mind to prefer this to any of his other efforts.

The following is his description of the scenes which attended and followed the trial of William Orr.

"Let me beg of you for a moment to suppose that any one of you had been the writer of this strong and severe animadversion upon the lord lieutenant, and that you had been the witness of that lamentable and never to be forgotten catastrophe; let me suppose that you had known the charge upon which Mr. Orr was apprehended—the charge of abjuring that bigotry which had torn and disgraced his country, of pledging himself to restore the people to their place in the constitution, and of binding himself never to be the betrayer of his fellow-labourers in that enterprise; that you had seen him upon that charge torn from his industry and confined in a gaol; that through the slow and lingering progress of twelve tedious months, you had seen him confined in a dungeon, shut out from the common use of air and of his own limbs; that day after day you had marked the unhappy captive, cheered by no sound but the cries of his family or the clanking of his chains; that you had seen him at last brought to his trial; that you had seen the vile and perjured informer deposing against his life; that you had seen the drunken, and worn out, and terrified jury, give in a verdict of death; that you had seen the same jury, when their returning sobriety had brought back their reason, prostrate themselves before the humanity of the bench, and pray that the mercy of the crown might save their characters from the reproach of an involuntary crime, their consciences from the torture of eternal self-condemnation, and their souls from the indelible stain of innocent blood. Let me suppose that you had seen the respite given, and the contrite and honest recommendation transmitted to that seat where mercy was presumed to dwell: that new and before unheard of crimes are discovered against the informer; that the royal mercy seems to relent; that a new respite is sent to the prisoner; that time is taken to see 'whether mercy could be extended or not;' that after that period

of lingering deliberation had passed, a third respite is transmitted; that the unhappy captive himself feels the cheering hope of being restored to a family that he had adored, to a character that he had never stained, and to a country that he had ever loved; that you had seen his wife and his children upon their knees, giving those tears to gratitude which their locked and frozen hearts had refused to anguish and despair, and imploring the blessings of eternal Providence upon his head who had graciously spared the father and restored him to his children:

'Alas!
Nor wife, nor children, more shall he behold,
Nor friends, nor sacred home!'

"Often did the weary dove return to the window of his little ark; but the olive leaf was to him no sign that the waters had subsided. No seraph Mercy unbars his dungeon, and leads him forth to light and life; but the minister of Death hurries him to the scene of suffering and of shame: where, unmoved by the hostile array of artillery and armed men collected together to secure, or to insult, or to disturb him, he dies with a solemn declaration of his innocence, and utters his last breath in a prayer for the liberty of his country.

"Let me now ask you, if any of you had addressed the public ear upon so foul and monstrous a subject, in what language would you have conveyed the feelings of horror and indignation? Would you have stooped to the meanness of qualified complaint? Would you have checked your feelings to search for courtly and gaudy language? Would you have been mean enough—but I intreat your pardon; I have already told you I do not think meanly of you. Had I thought so meanly of you, I could not suffer my mind to commune with you as it has done: had I thought you that base and servile instrument, attuned by hope and fear into discord and falsehood, from whose vulgar string no groan of suffering could vibrate, no voice of integrity or honour could speak, let me honestly tell you I should have scorned to fling my hand across it; I should have left it to a fitter minstrel; if I do not, therefore, grossly err in my opinion of you, you could invent no language upon such

a subject as this, that must not lag behind the rapidity of your feelings, and that must not disgrace those feelings if it attempted to describe them."

The distracted condition of Ireland, at this unfortunate period, may be collected from the following description. To the general reader of Mr. Curran's speeches, the frequent recurrence of so painful a theme must diminish their attraction; but it was too intimately connected with his subjects to be omitted; and as has been previously remarked, the scenes which he daily witnessed had so sensible an influence upon the style of his addresses to juries, that some advertence to them here becomes indispensable.

"The learned counsel has asserted that the paper which he prosecutes is only part of a system formed to misrepresent the state of Ireland and the conduct of its government. Do you not therefore discover that his object is to procure a verdict to sanction the parliaments of both countries in refusing an inquiry into your grievances? Let me ask you then, are you prepared to say, upon your oath, that those measures of coercion which are daily practised, are absolutely necessary, and ought to be continued? It is not upon Finnerty you are sitting in judgment; but you are sitting in judgment upon the lives and liberties of the inhabitants of more than half of Ireland. You are to say that it is a foul proceeding to condemn the government of Ireland; that it is a foul act, founded in foul motives, and originating in falsehood and sedition; that it is an attack upon a government under which the people are prosperous and happy; that justice is administered with mercy; that the statements made in Great Britain are false—are the effusions of party or of discontent; that all is mildness and tranquillity; that there are no burnings—no transportations; that you never travel by the light of conflagrations; that the jails are not crowded month after month, from which prisoners are taken out, not for trial, but for embarkation! These are the questions upon which, I say, you must virtually decide. It is in vain that the counsel for the crown may tell you that I am misrepresenting the case; that I am endeavouring to raise false fears, and to take advantage of your passions; that the question is, whether this paper be a libel or not, and that the circumstances of the country have nothing to do with it.

Such assertions must be vain: the statement of the counsel for the crown has forced the introduction of those important topics; and I appeal to your own hearts whether the country is misrepresented, and whether the government is misrepresented. I tell you therefore, gentlemen of the jury, it is not with respect to Mr. Orr or Mr. Finnerty that your verdict is now sought; you are called upon, on your oaths, to say that the government is wise and merciful; the people prosperous and happy; that military law ought to be continued; that the constitution could not with safety be restored to Ireland; and that the statements of a contrary import by your advocates in either country are libellous and false. I tell you, these are the questions; and I ask you, if you can have the front to give the expected answer in the face of a community who know the country as well as you do. Let me ask you how you could reconcile with such a verdict, the gaols, the tenders, the gibbets, the conflagrations, the murders, the proclamations, that we hear of every day in the streets, and see every day in the country? What are the processions of the learned counsel himself, circuit after circuit? Merciful God! what is the state of Ireland, and where shall you find the wretched inhabitant of this land? You may find him perhaps in a gaol, the only place of security, I had almost said of ordinary habitation! If you do not find him there, you may see him flying with his family from the flames of his own dwelling—lighted to his dungeon by the conflagration of his hovel; or you may find his bones bleaching on the green fields of his country; or you may find him tossing on the surface of the ocean, and mingling his groans with those tempests, less savage than his prosecutors, that drift him to a returnless distance from his family and his home, without charge, or trial, or sentence. Is this a foul misrepresentation? Or can you, with these facts ringing in your ears, and staring in your face, say, upon your oaths, they do not exist? You are called upon, in defiance of shame, of truth, of honour, to deny the sufferings under which you groan, and to flatter the prosecution that tramples you under foot. Gentlemen, I am not accustomed to speak of circumstances of this kind, and though familiarized as I have been to them, when I come to speak of them, my power fails me, my voice dies within me; I am not able to call upon you: it is now I ought to

have strength; it is now I ought to have energy and voice, but I have none; I am like the unfortunate state of the country, perhaps like you. This is the time in which I ought to speak, if I can, or be dumb for ever; in which, if you do not speak as *you* ought—*you* ought to be dumb for ever."

When Mr. Curran came to comment upon that part of the publication under trial, which stated that informers were brought forward by the hopes of remuneration—"Is that, said he, a foul assertion? or will you, upon your oaths, say to the sister country, that there are no such abominable instruments of destruction as informers used in the state prosecutions in Ireland? Let me honestly ask you, what do you feel when in my hearing—when, in the face of this audience, you are called upon to give a verdict that every man of us, and every man of you, know, by the testimony of your own eyes, to be utterly and absolutely false? I speak not now of the public proclamations for informers with a promise of secrecy and extravagant reward.—I speak not of those unfortunate wretches, who have been so often transferred from the table to the dock, and from the dock to the pillory—I speak of what your own eyes have seen, day after day, during the course of this commission, while you attended this court—the number of horrid miscreants who acknowledged, upon their oaths, that they had come from the seat of government—from the very chambers of the Castle (where they had been worked upon, by the fear of death and the hopes of compensation, to give evidence against their fellows)—that the mild, the wholesome, and merciful councils of this government are holden over those catacombs of living death, where the wretch, that is buried a *man*, lies till his heart has time to fester and dissolve, and is then dug up a *witness*. Is this a picture created by an hag-ridden fancy, or is it fact? Have you not seen him, after his resurrection from that tomb, make his appearance upon your table, the living image of life and death, and the supreme arbiter of both? Have you not marked, when he entered, how the stormy wave of the multitude retired at his approach? Have you not seen how the human heart bowed to the awful supremacy of his power, in the undissembled homage of deferential horror? How his glance, like the lightning of Heaven, seemed to rive the body of the accused,

and mark it for the grave, while his voice warned the devoted wretch of woe and death—a death which no innocence can escape, no art elude, no force resist, no antidote prevent? There was an antidote—a juror's oath! But even that adamantine chain, which bound the integrity of man to the throne of eternal justice, is solved and molten in the breath which issues from the mouth of the informer. Conscience swings from her moorings; the appalled and affrighted juror speaks what his soul abhors, and consults his own safety in the surrender of the victim—

—— et quæ sibi quisque timebat
Unius in miseri exitium conversa tulere.

Informers are worshipped in the temple of justice, even as the devil has been worshipped by Pagans and savages—even so in this wicked country, is the informer an object of judicial idolatry—even so is he soothed by the music of human groans—even so is he placated and incensed by the fumes and by the blood of human sacrifices."

It is some relief to turn from these descriptions, (the truth of which any who may doubt it, will find authenticated by the historian,) to the attestation which the advocate bore (and which he was always ready to bear) to the honourable and dignified demeanour of a presiding judge.* "You are upon a great forward ground, with the people at your back, and the government in your front. You have neither the disadvantages nor the excuses of juries a century ago. No, thank God! never was there a stronger characteristic distinction between those times, upon which no man can reflect without horror, and the present. You have seen this trial conducted with mildness and patience by the court. We have now no Jefferies, with scurvy and vulgar conceits, to browbeat the prisoner and perplex his counsel. Such has been the improvement of manners, and so calm the confidence of integrity, that during the defence of accused persons, the judges sit quietly, and show themselves worthy of their situation, by bearing, with a mild and merciful patience, the little extravagancies of the bar, as you should bear

* The Hon. William Downes.

with the little extravagancies of the press. Let me then turn your eyes to that pattern of mildness in the bench. The press is your advocate; bear with its excess, bear with every thing but its bad intention. If it comes as a villanous slanderer, treat it as such; but if it endeavour to raise the honour and glory of your country, remember that you reduce its power to a nonentity, if you stop its animadversions upon public measures. You should not check the efforts of genius, nor damp the ardour of patriotism. In vain will you desire the bird to soar, if you meanly or madly steal from it its plumage. Beware lest, under the pretence of bearing down the licentiousness of the press, you extinguish it altogether. Beware how you rival the venal ferocity of those miscreants, who rob a printer of the means of bread, and claim from deluded royalty the reward of integrity and allegiance."*

TRIAL OF PATRICK FINNEY.

Mr. Curran's defence of Patrick Finney (who was brought to trial in January, 1798, on a charge of High Treason) if not the most eloquent, was at least the most successful of his efforts at the bar. This may be also considered as the most important cause that he ever conducted, as far as the number of his clients could render it so; for in addition to the prisoner at the bar, he was virtually defending fifteen others, against whom there existed the same charge, and the same proof, and whose fates would have immediately followed had the evidence against Finney prevailed.—The principal witness for the crown in this case was an informer, named James O'Brien, a person whom his testimony upon this trial, and his subsequent crimes, have rendered notorious in Ireland. The infamy of this man's previous life and morals, and improbability and inconsistencies of his story, were so satisfactorily proved to the jury, that, making an effort of firmness and humanity very unusual in those days, they acquitted Finney; and, at the

* The jury found a verdict against the traverser. The above extracts are taken from a fuller report of Mr. Curran's speech upon this occasion than that which is to be found in the published collection.

next sitting of the court, the fifteen other prisoners were in consequence discharged from their indictments.

In speaking of Finney's acquittal, it would be an act of injustice to attribute it to the ability of Mr. Curran alone. He was assisted, as he was upon so many other occasions of emergency, by Mr. M'Nally,* a gentleman in whom the client has always found a zealous intrepid advocate, and in whom Mr. Curran, from his youth to his latest hour, possessed a most affectionate, unshaken and disinterested friend. An instance of Mr. Curran's confidence in the talents of his colleague occurred upon this trial: the circumstance too may not be without interest, as an example of the accidents which influence the most important questions.

The only mode of saving their client was by impeaching the credit of O'Brien. It appeared in their instructions that they had some, though not unexceptionable, evidence of his having extorted money, by assuming the character of a revenue officer.

Some extracts from the cross-examination of this witness shall be inserted as too singular, on many accounts, to be omitted. It should be observed, that Mr. Curran, upon this occasion, departed in some measure from his ordinary method of confounding the perjurer. Instead of resorting to menace or ridicule, he began by affecting a tone of respect and even submission; and, by thus encouraging O'Brien's insolence, threw him off his guard, and led

* Leonard M'Nally, Esq. for many years an eminent Irish barrister, and long since known to the English public as the author of Robin Hood, and other successful dramatic pieces, the productions of his earlier days.—Among many endearing traits in this gentleman's private character, his devoted attachment to Mr. Curran's person and fame, and, since his death, to the interests of his memory, has been conspicuous. The writer of this cannot advert to the ardour and tenderness with which he cherishes the latter, without emotions of the most lively and respectful gratitude. To Mr. Mc. Nally he has to express many obligations for the zeal with which he has assisted in procuring and supplying materials for the present work. The introduction of these private feelings is not entirely out of place—it can never be out of place to record an example of stedfastness in friendship. For three and forty years Mr. M'Nally was the friend of the subject of these pages; and during that long period, uninfluenced by any obligation, more than once, at his own personal risk in repelling the public calumnies which Mr. Curran's political conduct had provoked, he performed the duties of the relation with the most uncompromising and romantic fidelity. To state this is a debt of justice to the dead; the survivor has an ampler reward than any passing tribute of this sort can confer, in the recollection that during their long intercourse not even an unkind look ever passed between them.

him on more completely to develope his own character to the jury:—

James O'Brien, cross-examined by Mr. Curran.

Q. Pray, Mr. O'Brien, whence came you?

A. Speak in a way I will understand you.

Q. Do you not understand me?

A. Whence? I am here. Do you mean the place I came from?

Q. By your oath, do you not understand it?

A. I partly *censure* it now.

Q. Now that you partly *censure* the question, answer it. Where did you come from?

A. From the Castle.

Q. Do you live there?

A. I do while I am there.

Q. You are welcome, sir, to practise your wit upon me. Where did you live before you came to Dublin?

A. In the Queens county.

Q. What way of life were you engaged in before you came to Dublin?

A. I had a farm of land which my father left me; and I set it, and afterwards sold it, and came to Dublin to follow business I learned before my father's death. I served four years to Mr. Latouche of Marley.

Q. To what business?

A. A gardener.

Q. Were you an excise officer?

A. No.

Q. Nor ever acted as one?

A. I don't doubt but I may have gone of messages for one.

Q. Who was that?

A. A man of the name of Fitzpatrick.

Q. He is an excise officer?

A. So I understand.

Q. What messages did you go for him?

A. For money when he was lying on a sick bed.

Q. To whom?

A. To several of the people in his walk.

Q. But you never pretended to be an officer yourself?

A. As I have been walking with him, and had clean clothes on me, he might have said to the persons he met, that I was an excise officer.

Q. But did you never pretend to be an officer?

A. I never did pretend to be an officer.

Q. Did you ever pass yourself for a revenue officer?

A. I answered that before.

Q. I do not want to give you any unnecessary trouble, sir; treat me with the same respect I shall treat you. I ask you again, did you ever pass yourself for a revenue officer?

A. Never, barring when I was in drink, and the like.

Q. Then, when you have been drunk, you have passed as a revenue officer?

A. I do not know what I have done when I was drunk.

Q. Did you at any time, drunk or sober, pass yourself as a revenue officer?

A. Never, when sober.

Q. Did you, drunk, or sober?

A. I cannot say what I did when I was drunk.

Q. Can you form a belief—I ask you upon your oath—you are upon a solemn occasion—Did you pass yourself for a revenue officer?

A. I cannot say what happened to me when I was drunk.

Q. What! Do you say you might have done it when you were drunk?

A. I cannot recollect what passed in my drink.

Q. Are you in the habit of being drunk?

A. Not now; but some time back I was.

Q. Very fond of drink?

A. Very fond of drink.

Q. Do you remember to whom you passed yourself for a revenue officer?

A. I do not.

Q. Do you know the man who keeps the Red Cow, of the name of Cavanagh?

A. Where does he live?

Q. Do you not know yourself?

A. There is one Red Cow above the Fox and Geese.

Q. Did you ever pass yourself as a revenue officer there?

A. I never was there but with Fitzpatrick; and one day there had been a scuffle, and he abused Fitzpatrick and threatened him; I drank some whiskey there, and paid for it, and went to Fitzpatrick and told him, and I summoned Cavanagh.

Q. For selling spirits without licence?

A. I did, and compromised the business.

Q. By taking money and not prosecuting him?

A. Yes.

Q. Did you put money into your own pocket by that?

A. I did.

Q. But you swear you never passed yourself for a revenue officer?

A. Barring when I was drunk.

Q. Were you drunk when you summoned Cavanagh?

A. No.

Q. When you did not prosecute him?

A. No.

Q. When you put his money into your pocket?

A. No.

Q. Do you know a man of the name of Patrick Lamb?

A. I do not; but if you brighten my memory, I may recollect.

Q. Did you ever tell any man you were a supernumerary, and that your walk was Rathfarnham and Tallaght?

A. I never did, except when I was drunk; but I never did any thing but what was honest when I was sober.

Q. Do you believe you did say it?

A. I do not know what I might have said when I was drunk. You know when a man is walking with an exciseman, he gets a glass at every house.

Mr. Curran. I know no such thing, never having walked with an exciseman.

Witness. Then you may know it.

Q. Do you know any man passing by the name, or called Patrick Lamb?

A. Not that I recollect, *upon my word.*

Q. Upon your oath?

A. I do not recollect; I mean to tell every thing against myself as against any other.

Q. Do you know a person of the name of Margaret Moore?

A. Where does she live? Is she married?

Q. She lives near Stradbally. Do you know her?

A. I know her well—I thought it might be another. I was courting a woman of that name before my marriage.

Q. Did you come to Dublin before her or after?

A. I was in Dublin before I knew her.

Q. Did you get a decree against her?

A. I did get a summons for money she owed me.

Q. Were you taken to the Court of Conscience by her?

A. No. (Contradicted by the evidence on the defence.)

* * * * * * *

Q. When you met Hyland, were you an United Irishman?

A. Always united to every honest man.

Q. Were you an United Irishman?

A. Never sworn.

Q. Were you in any manner an United Irishman before that day?

A. Never sworn in before that day.

Q. Were you in any manner?

A. Don't I tell you that I was united to every honest man?

Q. Do you believe you are answering my question?

A. I do.

Q. Were you ever in any society of United Irishmen before that day?

A. I do not at all know but I may, but without my knowledge: they might be in the next box to me, or in the end of the seat with me, and I not know them.

Q. Were you ever in a society of United Irishmen but that day?

A. I was since.

Q. Were you ever of their meetings, or did you know any thing of their business before that day?

A. No; but I have heard of the defender's business.

Q. Were you of their society?

A. No; but when they came to my father's house, I went to Admiral Cosby's and kept guard there, and threatened to shoot any of them that would come; one Connelly told me I was to be murdered for this expression.

Q. Hyland made signs to you in the street?

A. He did.

Q. Did you answer them?

A. No.

Q. Why did you not?

A. Because I did not know how.

Q. Then is your evidence this, that you went into the house in order to save your life?

A. I was told that I might lose my life before I went half a street if I did not.

Q. Then it was from the fear of being murdered before you should go half a street, that you went in to be an United Irishman?

A. You have often heard of men being murdered in the business.

Q. Do you believe that?

A. I do: it is common through the country; I have read the proclamations upon it, and you may have done so too.

Q. How soon, after you were sworn, did you see the magistrate?

A. I was sworn upon the 25th, and upon the 28th I was brought to Lord Portarlington, and in the interval of the two days, Hyland was with me and dined with me.

Q. Why did you not go the next day?

A. Because I did not get clear of them, and they might murder me.

Q. Where did you sleep the first night after?

A. At my own place—I was very full—very drunk.

Q. Did either of them sleep there?

A. No.

Q. Where did you live?

A. In Keven-street, among some friends good to the same cause.

Q. Where did you see Hyland the next day?

A. He came to me next morning before I was out of bed, and stayed all day and dined; we drank full in the evening.

Q. What became of you the next day?

A. Hyland came early again, and stayed all day. I was after getting two guineas from my brother. I was determined to see it out, to know their conspiracies after I was sworn.

Q. Then you meant to give evidence?

A. I never went to a meeting that I did not give an account of it.

* * * * * * * *

Q. Do you know Charles Clarke of Blue Bell?

A. I have heard of such a man.

Q. You do not know him?

A. I do: I do not mean to tell a lie.

Q. You did not know him at first?

A. There are many men of the name of Clarke; I did not know but it might be some other. It did not immediately come into my memory.

Q. You thought it might be some other Clarke?

A. There is a Clarke came in to me yesterday.

Q. Did you ever get money from Clarke, of Blue Bell, as an excise officer?

A. I got 3*s.* 3*d.* from him not to tell Fitzpatrick: he did not know me, and I bought spirits there; and seeing me walk with an exciseman, he was afraid I would tell of him, and he gave me 3*s.* 3*d.*

Q. And you put it into your pocket?

A. To be sure.

* * * * * * * *

Q. Did you pass yourself as a revenue officer upon him

A. No.

Q. You swear that?

A. I do.

Q. You know a man of the name of Edward Purcell?

A. That is the man that led me into every thing. He has figured among United Irishmen. He got about 40*l.* of their money and went off. He has been wrote to several times.

Q. How came you to know him?

A. Through the friendship of Fitzpatrick. He had Fitzpatrick's wife, as a body might say, having another man's wife.

Q. He made you acquainted?

A. I saw him there, and Fitzpatrick well contented.

Q. Did you ever give him a recipe?

A. I did.

Q. Was it for money?

A. No.

Q. What was it?

A. It was partly an order, where Hyland, he, and I, hoped to be together. It was a pass-word I gave him to go to Hyland to buy light gold that I knew was going to the country.

Q. Did you ever give him any other recipe?

A. I do not know but I might; we had many dealings.

Q. Had you many dealings in recipes?

A. In recipes?

Q. I mean recipes to do a thing; as, to make a pudding, &c. Did you give him recipes of that nature?

A. I do not know but I might give him recipes to do a great number of things.

Q. To do a great number of things? What are they?

A. Tell me the smallest hint, and I will tell the truth.

Q. Upon that engagement I will tell you. Did you ever give him a recipe to turn silver into gold, or copper into silver?

A. Yes; for turning copper into silver.

Q. You have kept your word?

A. I said I would tell every thing against myself.

Q. Do you consider that against yourself?

A. I tell you the truth: I gave him a recipe for making copper money like silver money.

Q. What did you give it him for? Did he make use of it? Was it to protect his copper from being changed that you did it?

A. He was very officious to make things in a light easy way, without much trouble, to make his bread light: but I did it more in fun than profit.

Q. You did not care how much coin he made by it?

A. I did not care how much coin he made by it: he might put it upon the market cross.

Q. Do you say you do not care how many copper shillings he made?

A. I did not care whether he made use of it or not.

Q. Upon your solemn oath, you say that you did not care how many base shillings he made in consequence of the recipe you gave him?

A. I did not care how many he told of it, or what he did with it.

Q. Had you never seen it tried?

A. No, I never saw the recipe I gave him tried; but I saw others tried.

Q. For making copper look like silver?

A. To be sure.

Q. Do you recollect whether you gave him half-a-crown, upon which that recipe was tried?

A. I never saw it tried: but I gave him a bad half crown. I did not give it him in payment: I did it more to humbug him than any thing else.

* * * *

Q. Do you know Mr. Roberts?

A. What Mr. Roberts?

Q. Mr. Arthur Roberts of Stradbally?

A. I do.

Q. Did you ever talk to any person about his giving a character of you?

A. He could not give a bad character of me.

Q. Did you ever tell any person about his giving you a character?

A. I say now, in the hearing of the court and jury, that I heard of his being summoned against me; and, unless he would forswear himself, he could not give me a bad character.

Q. Did you ever say you would do any thing against him?

A. I said I would settle him; but do you know how? There was a matter about an auction that I would tell of him.

Q. Had you a weapon in your hand at the time?

A. I believe I had a sword.

Q. And a pistol?

A. Yes.

Q. And you had them in your hand at the time you made the declaration?

A. I knew he was a government man; and I would not do any thing to him in the way of assassination.

While Mr. Curran was cross-examining O'Brien upon the point of his assuming the character of a revenue officer, the prisoner's agent accidentally heard, from some of the by-standers, that there was a man residing at the distance of a few miles from Dublin, whose testimony would place beyond a doubt that O'Brien was perjuring himself in the answers that he returned. A chaise was immediately despatched, to bring up this person; and, in the interval, it was proposed by Mr. Curran, that he, who, as senior, was to have commenced the prisoner's defence, should reserve himself for the speech to evidence, and that his colleague should state the case, and *continue speaking as long as he could find a syllable to say*, so as to give time to the chaise to return before the trial should be over. The latter, in whose character there was as little of mental as of personal timidity, accepted the proposal without hesitation, and for once belying the maxim that "brevity is the soul of wit," produced an oration so skilfully voluminous, that, by the time it was concluded, which was not until his physical strength was utterly exhausted, the evening was so far advanced, that the Court readily consented to a temporary adjournment, for the purpose of refreshment; and before it resumed its sitting, the material witness for the prisoner had arrived.

For this important service rendered to their cause, Mr. Curran, in his address to the jury, paid his colleague a tribute, to which, as a man and an advocate, he was so well entitled. When, in the commencement of his speech, he alluded to the statement of his friend, and expressed "his reluctance to repeat any part of it, for fear of weakening it," he turned round to him, threw his arm affectionately over his shoulder, and, with that pathetic fervour of accent so peculiarly his own, addressed him thus: "My old and excellent friend, I have long known and respected the honesty of your heart, but never, until this occasion, was I acquainted with the extent of

your abilities. I am not in the habit of paying compliments where they are undeserved." Tears fell from Mr. Curran as he hung over his friend, and pronounced these few and simple words; and, however unimposing they may appear in the repetition, it certainly was not the part of his defence of Finney that touched the jury the least.

His speech in this case (particularly in the imperfect report of it that has appeared) does not contain many passages calculated to delight in the closet. It is chiefly occupied in developing the atrocities of the detestable O'Brien; and this object he accomplished with signal success. That wretch, who had, in the early part of the trial, comported himself with so much triumphant insolence, was for a moment appalled by Mr. Curran's description of his villanies, and by the indignant fury of his glances. He was observed palpably shrinking before the latter, and taking shelter in the crowd which thronged the court. The advocate did not fail to take advantage of such a circumstance. "What was the evidence of the innocent, unlettered, poor farmer Cavanagh; pursuing the even tenor of his way in the paths of honest industry, he is in the act of fulfilling the decree of his Maker—he is earning his bread by the sweat of his brow, when this villain, less pure than the arch-fiend who brought this sentence of laborious action on mankind, enters the habitation of peace and honest industry; and, not content with dipping his tongue in perjury, robs the poor man of two guineas. Where is O'Brien now?—Do you wonder that he is afraid of my eye?—that he has buried himself in the crowd?—that he crept under the shade of the multitude when this witness would have disentangled his evidence? Do you not feel that he was appalled with horror, by that more piercing and penetrating eye that looks upon him, and upon me, and upon us all? At this moment even the bold and daring villany of O'Brien stood abashed; he saw the eye of Heaven in that of an innocent and injured man; perhaps the feeling was consummated by a glance from the dock—his heart bore testimony to his guilt, and he fled for the same. Do you know him, gentlemen of the jury?—Are you acquainted with James O'Brien? If you are, let him come forward from that crowd where he has hid himself, and claim you by a look."

The religious character of Mr. Curran's addresses to juries, during these convulsed times, has been already adverted to; of this the conclusion of his defence of Finney affords a striking example:—

"This is the great experiment of the informers of Ireland, to ascertain how far they can carry on a traffic in human blood. This cannibal informer, this demon, O'Brien, greedy after human gore, has fifteen other victims in reserve, if from your verdict he receives the unhappy man at the bar—fifteen more of your fellow-citizens are now in gaol, depending on the fate of the unfortunate prisoner, and on the same blasted and perjured evidence of O'Brien. Be you then their saviours; let your verdict snatch them from his ravening maw, and interpose between yourselves and endless remorse. The character of the prisoner has been given. Am I not warranted in saying that I am now defending an innocent fellow subject on the grounds of eternal justice and immutable law? and on that eternal law I do call upon you to acquit my client. I call upon you for your justice! Great is the reward and sweet the recollection in the hour of trial, and in the day of dissolution, when the casualties of life are pressing close upon the heart, or when in the agonies of death you look back to the justifiable and honourable transactions of your life. At the awful foot of eternal justice, I do therefore invite you to acquit my client; and may God of his infinite mercy grant you a more lasting reward than that perishable crown we read of, which the ancients placed on the brow of him who saved in battle the life of a fellow citizen! In the name of public justice I do implore you to interpose between the perjurer and his intended victim; and if ever you are assailed by the hand of the informer, may you find an all powerful refuge in the example which, as jurors, you shall set this day to those that might be called to pass upon your lives, that of repelling, at the human tribunal, the intended effects of hireling perjury and premeditated murder. And if it should be the fate of any of you to count the tedious moments of captivity, in sorrow and pain, pining in the damps and gloom of a dungeon, while the wicked one is going about at large seeking whom he may devour, recollect that there is another more awful tribunal than any upon earth, which we must

all approach, and before which the best of us will have occasion to look back to what little good we may have done on this side the grave. In that awful trial—oh! may your verdict this day assure your hopes, and give you strength and consolation, in the presence of an adjudging God. Earnestly do I pray that the author of eternal justice may record the innocent deed you shall have done, and give to you the full benefit of your claims to an eternal reward, a requital in mercy upon your souls."

The fate of O'Brien is almost a necessary sequel to the trial of Finney. Mr. Curran, whom long observation in the exercise of his profession had familiarised to every gradation of atrocity, declared at the time, that, much as he had seen of crime, he had never met with such intense, unmitigated villany, as the conduct and countenance of this ruffian manifested; and he did not hesitate to predict, that some act of guilt would shorten his career. Two years after O'Brien was tried for murder,* and by a kind of retributive justice, the two counsel who had rescued Finney were appointed to conduct the prosecution.

Mr. Curran's speech in O'Brien's case is not distinguished by much eloquence; but it possesses one quality, infinitely more honourable to him than any display of talent could have been. It is full of moderation, resembling as much the charge of a judge as the statement of a prosecutor, and contains no vindictive allusion to the previous crimes of the prisoner. This the following extract will show:

"The present trial is considered abroad as of some expectation. I am very well aware that when a judicial inquiry becomes the topic of public and general conversation, every conversation is in itself a little trial of the fact. The voice of public fame, the falsest witness that ever was sworn or unsworn, is always ready to bear testimony to the prejudice of an individual. The mind becomes heated, and it can scarcely be expected, even in a jury-box, to find it cool, and reflecting, and uninterested. There are two tribunals to which

* An assemblage of persons of the lower orders having taken place in the suburbs of Dublin for the purpose of recreation, the officers of the police, accompanied by O'Brien, proceeded to disperse them. The multitude fled, and in the pursuit one of them (named Hoey) was murdered by O'Brien.

every man must be amenable; the one a municipal tribunal, the other the great, and general, and despotic tribunal of public reputation. If the jury have any reason to suppose that any man who comes before them has been already tried by public fame, and condemned, I beg to remind them of the solemn duty that justice imposes on them; to turn their eyes away from the recollection that any sentence of that sort of condemnation has been pronounced by the voice of public reputation; and if they think that his character has sunk under such a sentence, I remind the jury, that the infamy of such a condemnation is enough without their taking it into their consideration. It is the duty of the jury to leave the decrees of that court to be executed by its own authority, for they have no right to pass sentence of condemnation upon any man because that ill-judging court may have passed sentence on his character. They ought to recollect, that the evidence given before that court was unsworn, and therefore they are bound to consider the evidence before them naked and simple, as if they had never heard the name of the man they are to try, and the sentence of condemnation that public fame had pronounced upon his character. There is but one point of view in which public character ought to be taken—that is where there is doubt. In such a case general good character ought to have great weight, and go towards the acquittal of the accused; but should it so happen that general bad character should be thrown into the scale, it ought not to have one twentieth part the weight that good character should have.

"The jury, I am satisfied, will deliberately and cautiously weigh the evidence to be produced; they must be perfectly satisfied in their minds of the guilt of the prisoner. They must feel an irresistible and coercive force acting on them, from the weight of the evidence, before, by their verdict, they pronounce that melancholy sentence which would remove a murderer from the face of the earth."

O'Brien was convicted and executed. The populace of most countries are too disposed to regard the death of the greatest criminals with sympathy and regret; but so predominant were the feelings of terror and detestation which O'Brien's character had ex-

cited, that his execution was accompanied by shouts of the most unusual and horrid exultation.

Before dismissing the subject of this wretched man, one observation should be made, of which the omission might seem to imply a reproach upon the conduct of the prosecutors in Finney's case. It may occur, that the information of such a person should not have gained a moment's attention, still less have endangered the lives of so many subjects. It is, therefore, only just to add, that the real character of O'Brien was unknown to the officers of the crown, until it became developed in the progress of the trial. The attorney-general, who conducted that prosecution, was the late Lord Kilwarden, a man the most reverse of sanguinary, and who, in those violent times, was conspicuous for correcting the sternness of his official duties by the tenderness of his own amiable nature. His expiring sentiment had been the maxim of his life—"Let no man perish but by the just sentence of the law."

CHAPTER X.

Rebellion of 1798—Its causes—Unpopular system of government—Influence of the French Revolution—Increased intelligence in Ireland—Reform societies—United Irishmen—Their views and proceedings—Apply for aid to France—Anecdote of Theobald Wolfe Tone—Numbers of the United Irishmen—Condition of the peasantry and conduct of the aristocracy—Measures of the government—Public alarm—General insurrection.

The order of this work has now brought us to the year 1798,—*the year* 98!—a sound that is still so full of terrible associations to every Irishman's imagination. During the agitated period which followed the transactions of 1782, Ireland had seen the newly-acquired spirit of her people, inflamed by disappointment, by suffering, and by ignorance, discharging itself in bursts of individual or local turbulence, which were not much felt beyond the particular persons, or the immediate spot. But the hour, of which these were the prophetic signs, and of which so many warning and unheeded voices foretold the approach, at length arrived, bringing with it scenes of civil strife that struck dismay into every fibre of the community, sending thousands to the grave, thousands into exile, and involving many a virtuous and respected family in calamity and shame.

In adverting to the events of this disastrous era, it would be an easy task to recapitulate its horrors, or, according to the once popular method, to rail at the memories of its victims: but it is time for invective and resentment to cease; or, if such a feeling will irresistibly intrude, it is time at least to control and suppress it. Twenty years have now passed over the heads or the graves of the parties to that melancholy conflict, and their children may now see prospects of prosperity opening upon their country, not perhaps of the kind, or to the extent to which in her more ambitious days she looked, but assuredly of a more rational description than could have been attained by violence; and such as, when realised, as they promise soon to be, will compensate for past reverses, or at all events console. At such a moment, in approaching this fatal year, we may dismiss every sentiment of personal asperity, or

posthumous reproach; without wishing to disturb the remorse of those upon either side who may be repenting, or to revive the anguish of the many that have suffered, we may now contemplate it as the period of an awful historical event; and allude to the mutual passions and mistakes of those who acted or perished in it, with the forbearance that should not be refused to the unfortunate and the dead.

It has been seen, in the preceding pages, that the system by which Ireland was governed had excited general dissatisfaction, and that, in the year 1789, several of the most able and distinguished persons in the Irish parliament formed themselves into a body, for the avowed design of opposing the measures of the administration, and of conferring upon their country, if their exertions could enable them, all the practical benefits of a free constitution. While they were scarcely yet engaged in this arduous struggle, the French revolution burst upon the world—not, as it has since been witnessed, presenting images of blood and disorder, but coming as the messenger of harmony and freedom to the afflicted nations. This character of peace and innocence it did not long retain, or was not allowed to retain; but, in the progress of its resistless career, its crimes seemed for a while almost justified by the grandeur of their results, and by the imposing principles which they were committed to establish. It soon appeared how popular talent, combined with popular force, could level all the old decrepit opinions against which they had confederated, and Europe was fixed with mingled wonder and dismay upon the awful spectacle of a self-emancipated people seated upon the throne, from which they had hurled the descendant of their former idols as an hereditary usurper.

The effects of this great event, and of the doctrines by which it was defended, were immense. Every day some long-respected maxim was tried and condemned, and a treatise sent forth to justify the decision. The passions were excited by addressing the reason—by bold and naked appeals to the primitive and undeniable principles of human rights, without allowing for the numberless accidents of human condition by which those rights must inevitably be modified and restrained. Philosophy no longer remained to medi-

tate in the shade—she was now to be seen directing the movements of the camp, or marching at the head of triumphal processions, or presiding at civic feasts and regenerating clubs. In all this there was absurdity—but there was enthusiasm. The enthusiasm spread with contagious fury. Every nation of Europe, every petty state became animated by a new-born vigour and unaccustomed pretensions; and, as if awaking from a long slumber, imagined that they had discovered in the old social bonds the shackles that enslaved them. "The democratic principle in Europe was getting on and on like a mist at the heels of the countryman, small at first and lowly, but soon ascending to the hills, and overcasting the hemisphere.* This principle made its way to England, where the better genius of the constitution prevailed against its allurements: it passed on to Ireland, where it was welcomed with open arms by a people who had been long since ripe for every desperate experiment.

During the twenty years which preceded the French revolution, the progress of intelligence in Ireland had been unprecedented—a circumstance which is to be in part attributed to the general diffusion of knowledge at the same period throughout the European community, but still more to the extraordinary excitement which her own domestic struggles had given to the Irish mind. In Ireland almost the whole of this accession of intellect was expended upon political inquiries, the most natural subjects of investigation in a country whose actual condition was so far below her most obvious claims; and this peculiar attention to local politics seems to have been the reason that her contributions to general science and literature have not been commensurate with the genius and increased acquirements of her people. It has already been shown how much of this new energy was exerted upon the parliament for the

* Mr. Grattan's Letter to the Citizens of Dublin.

The readers of Milton will not fail to recognise this image, and to observe the use which men of genius can make of their predecessors.

> All in bright array
> The cherubim descended—on the ground
> Gliding meteorous, as evening mist
> Ris'n from a river o'er the marish glides,
> And gathers ground fast at the lab'rer's heels
> Homeward returning.
>
> PARADISE LOST, Book xii.

reformation of the old penal system, which it was evident the nation had determined no longer to endure: but the parliament was inexorable; and, by thus unnaturally opposing, instead of conducting, and sometimes indulging, sometimes controlling the public sentiment, left it at the mercy of all whose resentment or ambition might induce them to take advantage of its exasperation.

Of such there were many in Ireland. There were several men of speculative and enterprising minds, who, looking upon the obstinate defence of abuses at home, and the facility with which they had been banished from a neighbouring country, became convinced that a revolution would now be as attainable as a reform, and that there was a fund of strength and indignation in the Irish people, which, if skilfully directed, would vanquish every obstacle. There is no intention here of passing any unthinking panegyric upon those who were thus meditating a conspiracy against the state—upon the merits of such fatal appeals to chance and violence, no friend to law and humanity can hesitate a moment—but it is due to historical truth to state, that, in the present instance, they were not a band of factious demagogues, of desperate minds and ruined fortunes, who were looking to a revolution as a scene of confusion and depredation. In the formation of such a confederacy there could, indeed, have been no scrupulous selection of persons. Several, no doubt, entered into the association from private motives;—some from ambition—some from vanity—some from revenge;—but there were many whose mental attainments, and personal virtues, and enthusiastic fidelity to the cause they had espoused, extorted the admiration and sympathy of those who were the least disposed to justify their conduct, or deplore their fate.

As early as the year 1791 the future leaders of the projected designs were taking measures for organising the public force, by producing a general union of sentiment among the various classes upon whose co-operation they were to depend. As yet neither their plans nor objects were distinct and defined; but without any formal avowal of those objects to each other, and perhaps without being fully apprized themselves of their own final determinations, they took as effectual advantage of every public accident as if the whole had been previously digested and resolved. About this pe-

riod several of the friends to constitutional monarchy, among whom appeared some of the most respected and exalted characters in the country, united in forming political societies,* for the purpose of collecting together all the rational supporters of freedom, and, by affording a legal and public channel of expression to the popular sentiment, of preventing the adoption of secret and more formidable combinations. Many of the persons, who were afterwards the most active promoters of more violent proceedings, became members of these societies, of which the avowed object was a simple redress of grievances--and with this there is reason to believe that the future leaders of the conspiracy would in the first instance have been satisfied; but soon perceiving the improbability of such an event, while they continued, as members of the original and legal associations, ostensibly to limit their views to a constitutional reform, they were industriously establishing subordinate clubs†

* The principal of these was the Whig Club, which was formed under the auspices of the late lord Charlemont. The example was soon followed by the establishment of societies of United Irishmen at Belfast and Dublin, and finally in every part of the kingdom. It would be inconsistent with the limits of this work to trace minutely the progress of these societies; but it should be observed, that several who were leading members of the United Irishmen, when their designs had become revolutionary, were unconnected with them at an earlier period. It is also necessary to remark, that, though many of those who took an active part in their proceedings at every period of their existence would originally have been satisfied with a reform, there were exceptions. See the following note.

† Entitled "Societies of United Irishmen." By the test of the more early of these societies, the members pledged themselves "to persevere in endeavouring to form a brotherhood of affection among Irishmen of every religious persuasion, and to obtain an equal, full, and adequate representation of all the people of Ireland *in the Commons House of Parliament.*" In the year 1795 the latter words were struck out, in order to accommodate the test to the revolutionary designs that began to be generally entertained. Report of the Secret Committee, 1798.

It is a received opinion, that the celebrated Theobald Wolfe Tone was the author of the Constitution of the later United Irishmen; but the writer of this work is informed by a gentleman now in Ireland, who was intimately connected with Mr. Tone, that he himself denied this to be the fact. "He assured me (adds the gentleman alluded to) that Captain Thomas Russell, to whom he was for many years so warmly attached, was the person who drew up that remarkable paper, and that he (Tone) was not a member of the *close* society of United Irishmen till the eve of his embarking at Belfast for America, in the summer of 1795." It is, however, certain that Mr. Tone, as far back as 1791, strongly recommended to the societies of United Irishmen, then in their infancy, to attempt a revolution, as appears from his letter written in that year to the society at Belfast.—Report of the Secret Committee—Appendix.

throughout the country, to which, in order to allure adherents, and to evade suspicion, they assigned the same popular denominations, and the same tests; but, by impressing on the minds of all who were admitted (and all of every class were admitted) that no hope of constitutional redress remained, they speedily formed them into a widely extended confederacy, under the name of the Irish Union, for revolutionising Ireland, and establishing a republic.

This statement refers more immediately to the north of Ireland, where a large portion of the inhabitants were protestants or dissenters, who, having no religious disabilities to exasperate them, and being to a considerable degree possessed of affluence and education, must be supposed to have been determined to republican principles upon purely speculative grounds. It should, however, be observed, that simultaneously with their proceedings, and without any connexion or communication with them, a most formidable league existed among the poorer catholics of several districts. These latter, assuming the name of Defenders,* had originally associated to repel the local outrages of their protestant neighbours. The frequency and the length of the conflicts in which they were involved, had forced them into a kind of barbarous discipline and coherence; and having now become confident from their numbers, and from their familiarity with success or with danger, they began to despise the laws, of which they had vainly invoked the protection, and to entertain a vague idea that their strength might be successfully employed for the improvement of their condition. While their minds were in this state of confused excitation, emissaries were despatched from the united societies to explain to them their wrongs, and to propose the remedy. The Defenders were easily persuaded by the eloquence of doctrines, which only more skilfully expressed their previous sentiments; and, laying aside their religious resentments and distinctive appellation, adopted the more general views and title of United Irishmen.

* The Defenders first appeared about the year 1785: they increased rapidly, and soon attained a considerable degree of organization. From their oath and rules, which are couched in the rudest language, it sufficiently appears that the association must have been composed of the lowest orders in the community.

Before the year 1796, societies of United Irishmen prevailed in every quarter of the kingdom. The great majority consisted of the lowest classes, of whom all that had the inducements of degradation, or of personal animosities, readily enlisted under a standard that was to lead them to freedom and revenge. In order to secure an uniformity of action, and habits of subordination, a regular and connected system (comprising committees, baronial, county, and provincial; and, finally, an executive) was established, and periodical returns of members admitted, arms procured, money contributed, and of every other proceeding, were made with all the forms and order of a civil state.

Their numbers had soon become so great, that nothing but discipline seemed wanting to the accomplishment of their objects; and when we consider the description of men of whom the mass was composed, we cannot contemplate without surprise the spirit of ardour and secrecy that they displayed, and the enthusiastic patience with which they submitted to the irksomeness of delay, and to the labours and dangers by which alone any degree of discipline could be acquired. In the neighbourhood of the capital and the principal towns, where large bodies could not have assembled without discovery, they separated into very small parties, each of which appointed the most skilful to direct its manœuvres. The most active search was made for persons who had ever been in the military profession, to whom every motive of reward, and rank, and expected glory, were held out, and generally with success, to allure them into the association. Under these they met, night after night, to be instructed in the use of arms; sometimes in obscure cellars, hired for the purpose; sometimes in houses, where every inhabitant was in the secret; it even sometimes happened that in the metropolis these nocturnal exercises took place, in the habitations of the more opulent and ardent of the conspirators. In the interior their evolutions were performed upon a more extensive scale. There, every evening that the moon, the signal of rendezvous, was to be seen in the heavens, the peasant, without reposing from the toils of the day, stole forth with his rude implement of war, to pass the night upon the nearest unfrequented heath, with the thousands of their comrades, who were as-

sembled at that place and hour, as for the celebration of some unrighteous mysteries. It was also a frequent custom at this time, among the lower orders, to collect in large bodies, under the pretext of indulging in some of the national games of force; but for the secret purpose of inspiring mutual confidence, by the display of their numbers, and their athletic forms, and of exercising in those mimic contests the alertness and vigour which they were so soon to employ in the real conflict. The general enthusiasm was kept alive by the distribution of songs in praise of freedom, arranged to popular native airs. Green, the old distinguishing colour of the island, and in itself, from its connexion with the face and restorative energies of nature, an excitant to the imaginations of men, who conceived themselves engaged in a struggle for the recovery of their natural rights, was adopted as their emblem. Their passion for spirituous liquors, a propensity that seems in some degree peculiar to those with whom it is the only luxury, and to those who have exhausted every other, was restrained, by explaining to them the embarrassment in which the sudden non-consumption of such a source of revenue would involve the government. And so intense was the ardour for the general cause, that this inveterate indulgence was sacrificed to such a motive, and the populace became for a while distinguished by habits of unaccustomed, and it might be said, impassioned sobriety.*

The leaders of the United Irishmen began now (1796) to look with confidence to the success of their designs; but foreseeing that notwithstanding their strength and enthusiasm, the contest with the regular forces of the government might be sanguinary and protracted, they were anxious to call in the aid of a disciplined army, which, by directing the movements and restraining the excesses of the insurgents, might enable them to decide the struggle at a blow. For such a reinforcement they turned their eyes towards France. The documents produced upon Jackson's trial had lately given them public intimation, that that country was disposed to assist the Irish malcontents. The latter were aware that France could have no interest in promoting a constitutional reform in Ireland, of which the

* Of the preceding facts, some are taken from the report of the secret committee, and others are given upon the authority of individual information.

obvious effect would have been an accession of strength to the British empire: they therefore applied for a military aid to effect a separation from England.* This would evidently be an important object with the French government; and it was the necessity of holding out such an inducement that in some degree determined the Irish directory to the final and extreme measure of a revolution. The French authorities accepted the proposal, and immediately prepared for the embarkation of an army, to co-operate with the Irish insurgents. But the main dependance of the leaders of the conspiracy was upon the Irish populace; an agricultural population, full of vigour, burning for the conflict, and long inured to habits of insurrection. Of these, 500,000 were in arms.

If it should here be asked by any of the many subjects of the same empire, who still continue strangers to the former condition

* The United Irishmen despatched an agent to France for this purpose about the middle of 1796. Mr. Tone was then at Paris, and exerting all his influence to the same effect. In the first memorial which Mr. Tone presented to the French directory, in order to induce them to send an expedition to Ireland, he stated that at that period more than two-thirds of the sailors in the British Navy were Irish; that he was present when the Catholic delegates urged this to Lord Melville as one reason for granting emancipation, and that his lordship had not denied the fact. This statement was understood to have had great weight with the directory, who immediately committed the whole of the subject to the consideration of Carnot (then one of the directory) and Generals Clark and Hoche.

The gentleman who has communicated the preceding circumstance has added the following anecdote:

Soon after the question of an expedition to Ireland had been left to the decision of Carnot, Clarke, and Hoche, they named an evening to meet Tone at the palace of the Luxembourg. Tone arrived at the appointed hour, eight o'clock. He was ushered into a splendid apartment. Shortly after the director and the generals made their appearance: they bowed coldly, but civilly, to Tone, and almost immediately retired, without apology or explanation, through a door opposite to that by which they had entered. Tone was a good deal struck by so unexpected a reception; but his surprise increased, when ten o'clock arrived, without the appearance of, or message of any kind from, those on whom all his hopes seemed to depend. The clock struck eleven, twelve, one—all was still in the palace; the steps of the sentinels, on their posts without, alone interrupted the dead silence that prevailed within. Tone paced the room in considerable anxiety; not even a servant had entered of whom to inquire his way out, or if the director and the generals had retired. About two o'clock the folding doors were suddenly thrown open; Carnot, Clarke, and Hoche entered; their countenances brightened, and the coldness and reserve, so observable at eight o'clock, had vanished. Clarke advanced quickly to Tone, and taking him cordially by the hand, said, "*Citizen! I congratulate you; we go to Ireland.*"—The others did the same; and having fixed the time to meet again, the persons engaged in this remarkable transaction separated.

of Ireland, how so long and formidable a system of secret organization could have been carried by her people for the violent design of revolutionizing her country? the answer is not difficult. It sprang from their degradation, and from the ignorance and revenge that accompanied it. The rebellion of 1798 was a servile war. In Ireland her millions of peasantry were a mere collection of physical beings, to whom nature had amply dispensed every human passion, but whom society had imparted no motives to restrain them. The informing mind of a free constitution had never reached them; they never felt the tranquillizing consciousness, that they were objects of respect. In Ireland the state was not the "great central heart," that distributed life and health, and secured them in return. The old Irish government was a mechanical, not a moral system; it was, what it has been so often likened to, a citadel in an enemy's country; its first and its last expedient was force; it forgot that those whom no force can subdue, nor dangers terrify, will kneel before an act of conciliation. But it obstinately refused to conciliate, and the people at length, prepared by the sufferings and indignities of centuries, listened with sanguine or desperate credulity to the counsel which reminded them of their strength, and directed them to employ it in one furious effort, which, whether it failed or prospered, could not embitter their condition.

The spirit of the government found a ready and fatal co-operation in the gentry of the land. Never was there a class of men less amenable to the lessons of experience; adversity, the great instructor of the wise, brought to them all its afflictions without their antidote. Every fierce, inveterate resentment of the race lineally descended, with the title-deeds, from the father to the child. Year after year the landlord's house was fired, his stock was plundered, his rent unpaid, his land a waste, and each succeeding year he was seen effecting his escape, through scenes of turbulence and danger, from his estate to the capital, to make his periodical complaint of his sufferings, and to give the minister another vote for their continuance.

The Irish landlord of the last century was the great inciter to insurrection. With a nominal superiority of rank and education, he

was in every ferocious propensity upon a level with the degraded dependants, whom he affected to contemn, and whose passions he vainly laboured to control; because he had never set them the example by controlling his own. Finding his efforts abortive, he next vindictively debased them; and the consequence was, that in a little time he shared the same fate with his victims. The condition of Ireland during the eighteenth century affords a striking and melancholy example of the certain retribution with which a system of misrule will visit those who so mistake their own interests as to give it their support. An inconsiderable order, or a single sect, may (however unjustly) be degraded with impunity; but the degradation of the mass of a nation will inevitably recoil upon its oppressors. The consequences may not always be visible in formidable acts of force; but there is a silent and unerring retaliation in the effects upon morals and manners, by which the tyrant is made eventually to atone for his crimes. In every condition of society the predominating sentiments and manners will spread and assimilate. In highly polished states they may be observed descending from the higher to the inferior ranks. The courtesy and humanity of the old French peer were found to give a tinge to the conversation of the mechanic. In uncivilized countries the progress is the reverse; the rudeness of the boor will ascend and taint his master. The latter was the case in Ireland; the Irish peasant, in his intercourse with his superiors, saw nothing of which the imitation could soften and improve him. The gentry, although conscious that their religion, and the violent means by which so many of them had acquired their properties, excited the suspicion and aversion of those below them, resorted to every infallible method of confirming these hostile impressions. Instead of endeavouring to eradicate them by mildness and protection, they insulted and oppressed. The dependant, unrestrained by any motive of affection or respect, avenged himself by acts of petty outrage. The outrage was resented and punished as an original unprovoked aggression. Fresh revenge ensued, and hence every district presented scenes of turbulent contention, in which the haughty lord lost whatever dignity he had possessed, and finally became infected with the barbarous passions and manners of the vassals whom he had disdained to civilize, till he required as much to be civilized himself.

The attachment of the Irish peasant to the government was suspected; but nothing could have been more unskilful than the means adopted to secure his fidelity. The Irish aristocracy, who imagined that because they were loyal, they might proceed to every violent extreme, were a band of political fanatics, and would have made proselytes by the sword. They knew nothing of the real nature of the allegiance which they were so zealous to establish, and which was never yet established by the sword. They were not aware that the allegiance of a nation to the state is a feeling compounded of a thousand others, half interest, half sentiment, of gratitude, of hope, of recollections, of the numberless minute and "tender influences," that reconcile the subject to his condition; that it is seldom a direct and defined attachment to the sovereign, but a collection of many subordinate attachments, of which the sovereign has all the benefit; that it is but the youngest of the group of private virtues, and, like them, must be reared in the bosom of domestic comfort; that it is upon the moral allegiance of each rank to its immediate relations, of the servant to his master, of the artisan to his employer, of the tenant to his landlord, that must be founded the political allegiance of the whole to the state.

Those mistaken loyalists supposed that they were teaching allegiance by a haughty and vindictive enforcement of the laws against its violation. They did not see that they were exacting from the laws what no laws could perform; that their positive provisions must be always impotent, where their spirit is not previously infused into the subject by manners and institutions. In Ireland these two were at perpetual variance. The Irish lawgiver passed his statute, setting forth, in pompous phraseology, its wisdom and necessity, and denouncing the gibbet against the offender, and then returned to his district, to defeat its efficacy, by giving a practical continuance to the misery, the passions, the galling epithets, and the long train of customary insults and local provocations that were for ever instigating to crime. He did, what was stranger and more absurd than this—he had the folly to put the state in competition with a power above it. He trampled upon the religion of the peo-

ple*—not reflecting, that, though by the doctrines of Christianity all injuries are to be forgiven, it had been the universal practice of its various sects, for successive centuries, to except the offences committed against themselves. He pointed to the peasant's chapel, and gloried in the reflection, that the disloyal bell which had called their fathers to worship should never sound upon the ears of their children—as if to approach his Maker with a little show of decent pomp was not the harmless pride of every man of every faith upon the surface of the globe. He thought he could drive them along the path of allegiance, where he had placed their religion to stop the way; and was surprised, that, when the alternative was to be made, they should turn upon their driver rather than advance in the face of what they dreaded more than death.

The mass of the Irish people were tillers of the soil, and were thus systematically debarred, by those who should have been their patrons and instructors, from every motive to be tranquil. The country gentleman, the great bulwark (if he performs his duties) against extended projects of revolution, hated them and feared them. He received them with sullen reserve when they brought him his rent, and trembled at the vigorous hands that paid it; but there was no moral intercourse between them, no interchange of sympathy and endearing offices. The landlords, in constant alarm for their property and safety, would not convert the depredator into a protector. They opposed the tenant's education, which would have taught him to employ his idle hours in acquiring a love of order, instead of passing them in plans to recover in plunder what he had paid in rent, and looked upon as tribute. Erecting themselves into the little deities of their own district, they would not let the tenant touch of knowledge, lest he should "become as one of them." They drew between themselves and their natural allies a proud line of separation, which effectually cut off all communications of reciprocal affection, but proved a barrier of air against the

* The first attacks upon the Irish catholics originated in the English parliament; but the Irish aristocracy gave the penal code their fullest support. Had the latter performed their duty, and undeceived England upon the supposed necessity of continuing it, the fate of Ireland would have been very different: but upon this subject England was abused, and is to this hour abused.

irruptions of hatred and of force. In Ireland there were none of those feudal privileges which bring the persons and feelings of the Scottish dependants into closer contact with those of their superiors. The Irish peasant was never seen in the hall of his lord. He was left in his hovel to brood over his degradation—to solace or inflame his fancy with legendary traditions of his country's ancient glory, and with rude predictions of her coming regeneration, and to hail, in every factious spirit, the Messiah that was to redeem her.

These were the real causes of the avidity with which the Irish populace entered into this formidable conspiracy. The government was early apprised of its existence, though not of its extent, and took very vigorous but ineffectual means to suppress it. Session after session it resorted to measures of terror or precaution, by penal acts and prosecutions, to try their efficacy; but, of the persons thus proceeded against, the acquittal of many only served to bring discredit upon the administration, while the executions of such as were convicted were regarded by their party as so many acts of hostile severity, that called, not for submission, but revenge. The ministers of the crown conducted themselves, at this trying crisis, with a zeal which could not be too much applauded, if it were not so often carried to excess, and with the most undoubted fidelity to the powers whom they served; but throughout they committed one fatal error, which must for ever detract from their characters as able statesmen. Because it was evident that a few educated men were at the head of the popular combinations, they adopted, and to the last persisted in the opinion, or at least in the assertion, that the whole was essentially a conspiracy of a few speculative adventurers, who had *seduced* the nation from its allegiance, and that all the power and wisdom of the state was to be confined to the counteraction of the malignant design; and to this notion, notwithstanding its daily refutation, they adhered, with the spirit rather of persons engaged in an acrimonious controversy, than of ministers whose duty it was to save the country from the horrors of a civil war.* It was to no purpose that the sophistry by which

* Even after the suppression of the rebellion, when the government possessed the fullest information regarding its origin and progress, the viceroy, in his speech to the parliament, was made to say, "the foulest and darkest

they defended it was exposed—it was in vain that they were told, by men who knew the state of Ireland and the general course of the human passions as well as they did, that their reasonings would never satisfy the disaffected—that the dissatisfaction was not temporary or accidental, but radical—and that it was only a waste of time and of life to resort to unpopular laws and frequent executions, while the parent mischief remained untouched upon the statute book. The Irish ministry not only spurned those counsels, which the event proved to have been prophetic, but, superadding a farther error, they reviled the advisers with so little discretion, that they gave the real conspirators official authority for believing that the opposers of the administration were secretly the advocates of rebellion, and thus afforded them an additional incitement to persevere in their designs.*

This glaring departure from the most obvious prudence has been variously accounted for. By many it has been attributed to incapacity. A more general opinion was, that the government was fomenting the conspiracy, in order that the excesses to which it would lead might reconcile the nation to a legislative union: and, however vulgar and improbable the latter supposition may appear,

conspiracy was formed and long carried on by the implacable enemy of this realm, for the total extinction of the constitution," &c.—*Lord Lieutenant's Speech, October 6*, 1798.

* A leading member of the minority in the Irish House of Commons was the late Mr. George Ponsonby, a gentleman, who, if the purest constitutional views and personal dignity of deportment could have saved from insults, would have escaped them; but at this period no dignity was a protection. He, among others, impressed upon the ministry that Ireland could be preserved from the threatened crisis by no means but by a complete reform of the parliament, by catholic emancipation, and by an equalization of commerce between England and Ireland. The following was the answer of one of the servants of the crown (the solicitor-general) to Mr. Ponsonby's opinions: "What was it come to, that in the Irish House of Commons they should listen to one of their own members degrading the character of an Irish gentleman by language which was fitted but for hallooing a mob? Had he heard a man uttering out of those doors such language as that by which the honourable gentleman had violated the decorum of parliament, he would have seized the ruffian by the throat, and dragged him to the dust! What were the house made of who could listen in patience to such abominable sentiments?—sentiments which, thank God, were acknowledged by no class of men in this country, except the execrable and infamous nest of traitors, who were known by the name of United Irishmen, who sat brooding in Belfast over their discontents and treasons, and from whose publications he could trace, word for word, every expression the honourable gentleman had used."—*Irish Parl. Deb. Feb.* 1797.

it is still perhaps the only one that can satisfactorily explain the apparent inconsistencies and infatuation of their councils.

The enemy of Great Britain had already made an abortive effort* to transport an armament to Ireland, the landing of which was to have been the signal for the intended rising; but the leaders of the Irish union, still depending upon the promised renewal of the attempt, had been anxious to restrain the impatience of the people

* In December 1796 the French fleet was dispersed by a storm. A part of it anchored in Bantry Bay, where it remained for some days; but the vessel, on board of which General Hoche (the commander of the expedition) was, not arriving, the French admiral, without attempting a landing, returned to France.

It is well known that grievous complaints were made in the English parliament against the ministry, for having left the coasts of Ireland so unprotected on this occasion. In explanation of this apparent negligence, Theobold Wolf Tone, who had been confidentially employed in the preparations for the French expedition, (he was himself on board one of the vessels that anchored in Bantry Bay) related the following circumstance, as having come within his personal knowledge. While this formidable armament, which had so long fixed the attention of Europe, was fitting out at Brest, various conjectures prevailed as to its probable destination. The general opinion was that the invasion of either Ireland or Portugal was intended.—There was at this time (according to Mr. Tone's account) a secret agent of the British minister at Brest, who, having discovered that a particular printer of that town had General Hoche's proclamations in his press, privately offered him a large sum for a single copy. With this offer the printer made General Hoche acquainted, who immediately drew up a proclamation, as addressed to the Portuguese by the commander of the French invading army. A few copies of this were accordingly, by the General's desire, struck off, and handed by the printer to the agent. The latter forwarded them to Mr. Pitt, whom the receipt of such a document is said to have so completely deceived, that he directed the British squadrons to make Portugal the peculiar object of their vigilance, and, in the first instance, treated the report of an actual descent upon Ireland with derision.

Although the appearance of the French fleet in Bantry Bay produced no movements of disaffection in the vicinity, it was yet at this period, or very shortly after, that the organization of the United Irishmen was most complete, and their prospect of success most promising. In 1797 they felt assured, that, in the event of a general insurrection, the greater number of the Irish militia regiments would have revolted. It is confidently asserted, that, an attack upon Dublin having been proposed in that year, every soldier who mounted guard in that city on the night of the intended attempt was in their interests.

The following occurrence, however ludicrous, is a striking proof of the prevailing sentiment among the native forces. At this time persons of democratic principles, in imitation of the French revolutionists, wore their hair short behind; from which custom croppies and rebels became synonymous terms. A commander of yeomanry in Dublin, while reviewing his corps, observed a false tail lying upon the parade. He held it up, and asked who had dropped it. By an instantaneous movement, every man of the corps raised his hand to the back of his head. This corps is said to have been, in consequence, disbanded on the following day.

until the foreign succours should arrive. Disappointed, however, in their expectations from abroad, and apprehending from any further delay, either the uncontrollable impetuosity or the desertion of their followers, they resolved, in the early part of this year, against their better judgment, to bring the matter to a final issue. The 23d of May was fixed as the day for a general insurrection.

Of this intention the government having received information in the course of the preceding March, arrested several of the principal leaders in the capital; and, announcing by proclamation the existance of the conspiracy, authorised the military powers to employ the most summary methods of suppressing it.

This formal declaration of the impending crisis was followed by the most extreme agitation of the public mind. Every ear was catching, every tongue was faltering some tremendous confirmation that the hour was at hand. As it approached, the fearful tokens became too manifest to be mistaken. In the interior, the peasantry were already in motion. Night after night large masses of them were known to be proceeding by unfrequented paths to some central points. Over whole tracts of country the cabins were deserted, or contained only women and children, from whom the inquirers could extort no tidings of the owners. In the towns, to which, in the intervals of labour, the lower classes delighted to flock, a frightful dimunition of numbers was observed; while the few that appeared there, betrayed, by the moody exultation of their looks, that they were not ignorant of the cause. Throughout the capital, against which the first fury of the insurgents was to be directed, and where, from its extent, there could never be a certainty that the attack had not already begun, the consternation was universal. The spectacle of awful preparation, that promised security, gave no tranquillity. In the panic of the moment the measures for security became so many images of danger. The military array and bustle in some streets—the silence and desertion of others—the names of the inhabitants registered on every door—the suspension of public amusements, and almost of private intercourse —the daily proclamations—prayers put up in the churches for the general safety—families flying to England—partings that might be eternal—every thing oppressed the imagination with the convic-

tion, that a great public convulsion was at hand. The parliament* and the courts of justice, with a laudable attachment to the forms of the constitution, continued their sittings; but the strange aspect, of senators and advocates transacting civil business in the garb of soldiers, reminded the spectator that the final dependance of the state was upon a power beyond the laws. In Dublin the domesties of the principal citizens had disappeared, and gone off to join the insurgents; while those, who could not be seduced to accompany them, became the more suspected, from this proof of their fidelity: they could have remained, it was apprehended, for the sole purpose of being spies upon their masters, and co-operators in their intended destruction; and thus, to the real dangers of a general design against the government, were added all the imaginary horrors of a project of individual vengeance. The vigorous precautions of the administration, instead of inspiring confidence, kept alive the public terror and suspense. In every quarter of the kingdom the populace were sent in droves to the prisons, till the prisons could contain no more. The vessels in the several bays adjoining the scenes of disturbance were next converted into gaols. The law was put aside: a non-commissioned officer became the arbiter of life and death. The military were dispersed through every house: military visits were paid to every house in search of arms, or other evidence of treason. The dead were intercepted on their passage to the grave, and their coffins examined, lest they might contain rebellious weapons. Many of the conspirators were informally executed. Many persons who were innocent were arrested and abused. Many, who might have been innocent, were suspected, and summarily put to death.

Upon the appointed day the explosion took place. The shock was dreadful. The imagination recoils from a detail of the scenes that followed. Every excess that could have been apprehended from a soldiery, whom General Abercrombie, in the language of manly re-

* On the 22d of May (the day before the insurrection) the House of Commons voted an address to the viceroy, expressing their fidelity and their reliance upon the vigilance and vigour of his government. In order to render the proceeding more imposing, all the members of that house, with the speaker at their head, walked through the streets, two and two, and presented the address to his excellency.

proof, had declared to be in a state of licentiousness that rendered it formidable to all but the enemy; every act of furious retaliation to be expected from a peasantry inflamed by revenge and despair, and, in consequence of the loss of their leaders, surrendered to the auspices of their own impetuous passions, distinguished and disgraced this fatal conflict.* After a short and sanguinary struggle, the insurgents were crushed. The numbers of them who perished in the field, or on the scaffold, or were exiled, are said to have amounted to 50,000;—the losses upon the side of the crown have been computed at 20,000 lives;— a solemn and memorable fact:— 70,000 subjects sacrificed in a single year, whose energies, had other maxims of government prevailed, might have been devoted to what it is equally the interest of subjects and governments to promote—the cause of rational freedom, the possession of which can alone inspire a manly and enlightened attachment to the laws and the state.

* The high state of passion and resentment which prevailed at this unfortunate period may be collected from the single fact, that in the House of Commons a member suggested that military executions should have a retrospective operation, and that the state prisoners, who had been for several weeks in the hands of government, should be summarily disposed of; but the secretary, Lord Castlereagh) with becoming dignity and humanity, vehemently discountenanced so shocking a proposal.

CHAPTER XI.

Trial of Henry and John Sheares.

As soon as the public safety was secured (it was long before tranquillity was restored) by the defeat of the insurgents, a general amnesty was granted to all, except the actual leaders of the conspiracy, who should surrender their arms, and take the oath of allegiance to the King. Several of the leaders were in the hands of the government, and it was now decided that the most conspicuous of them should be brought to immediate trial, in order that their fates should give a final blow to any still remaining hopes of their adherents.

The first of the persons thus selected were two young gentlemen, brothers, and members of the Irish bar, Henry and John Sheares. Their previous history contains nothing peculiar. They were both of respectable and amiable characters. The elder of them "had given many hostages to fortune;" but with the ardour incidental to their years, and to the times, they had been induced to look beyond those sources of private happiness which they appear to have abundantly enjoyed, and to engage in the political speculations that were now to be expiated with their lives. When the original members of the Irish executive were committed to prison, in the month of March, the Shearesses were among those who were chosen to supply their place, and they took a very active part in arranging the plan of the approaching insurrection. Of all these proceedings the government obtained accurate information through a Captain Armstrong, an officer of the Irish militia, who had succeeded in insinuating himself into their confidence, for the purposes of discovery. They were accordingly arrested two days previous to the explosion, and were now summoned to abide their trial for high treason.

Mr. Curran's defence of these unfortunate brothers was suppressed at the period, and is generally supposed to have altogether perished. A report of the trial has, however, been preserved, from which an account of the share that he bore in it shall now be given.

The prisoners were brought to the bar, and arraigned, on the 4th

of July, 1798. In this stage of the proceedings, a very interesting and important discussion took place. Their counsel having discovered that one of the grand jury, who had found the bill of indictment, was a naturalized Frenchman, pleaded that fact against its legality. The following are parts of Mr. Curran's argument upon the occasion:*

"My lords; the law of this country has declared, that in order to the conviction of any man, not only of any charge of the higher species of criminal offences, but of any criminal charge whatsoever, he must be convicted upon the finding of two juries; first, of the grand jury, who determine upon the guilt in one point of view; and, secondly, by the corroborative finding of the petty jury, who establish that guilt in a more direct manner; and it is the law of this country, that the jurors, who shall so find, whether upon the grand or upon the petty inquest, shall be "*probi et legales homines omni exceptione majores.*" They must be open to no legal objection of personal incompetence; they must be capable of having freehold property, and in order to have freehold property, they must not be open to the objection of being born under the jurisdiction of a foreign prince, or owing allegiance to any foreign power. Because the law of this country, and indeed the law of every country in Europe, has thought it an indispensable precaution, to trust no man with the weight or influence which territorial possession may give him contrary to that allegiance which ought to flow from such possession of property in the country. This observation is emphatically forcible in every branch of the criminal law; but in the law of treason, it has a degree of force and cogency that fails in every inferior class of offence; because the very point to be inquired into in treason is the nature of allegiance. The general nature of allegiance may be pretty clear to every man. Every man, however unlearned he may be, can easily acquire such a notion of allegiance, whether natural and

* Different statutes of Charles II. Geo. I. and Geo. III. enact, that naturalized aliens, performing certain specified conditions, "shall be deemed liege, free, and natural subjects, to all intents and purposes;" with a proviso, "that they shall not be enabled to serve in parliament, nor to be of his majesty's privy council, nor to *hold any office of trust,* civil or military, in the kingdom."

born with him, or whether it be temporary and contracted by emigration into another country; he may acquire a vague, untechnical idea of allegiance, for his immediate personal conduct. But I am warranted in saying, that the constitution does not suppose that any foreigner has any direct idea of allegiance but what he owes to his original prince. The constitution supposes, and takes for granted, that no foreigner has such an idea of our peculiar and precise allegiance, as qualifies him to act as a juror, where that is the question to be inquired into; and I found myself upon this known principle, that though the benignity of the English law has, in many cases, where strangers are tried, given a jury, half composed of foreigners and half natives, that benefit is denied to any man accused of treason, for the reason I have stated; because, says Sir W. Blackstone, 'aliens are very improper judges of the breach of allegiance.'* A foreigner is a most improper judge of what the allegiance is which binds an English subject to his constitution. And, therefore, upon that idea of utter incompetency in a stranger, is every foreigner directly removed and repelled from exercising a function that he is supposed utterly unable to discharge. If one Frenchman shall be suffered to find a bill of indictment between our lord the king and his subjects, by a parity of reasoning may twenty-three men of the same descent be put into the box, with authority to find a bill of indictment. By the same reason, that the court may communicate with one man whose language they do not know, may they communicate with twenty-three natives of twenty-three different countries and languages. How far do I mean to carry this? Thus far: that every statute, or means by which allegiance may be shaken off, and any kind of benefit or privilege conferred upon an emigrating foreigner, is for ever to be considered by a court of justice with relation to that natural incompetency to perform certain trusts, which is taken for granted and established by the law of England.

"Therefore, my lord, my clients have pleaded, that the bill of indictment to which they have been called upon to answer has been found, among others, by a foreigner, born under a foreign allegiance and incapable of exercising the right of a ju-

* 4 Bl. Com. 352.

ror, upon the grand or the petty inquest. The stat. of Charles II. recites, that the kingdom was wasted by the unfortunate troubles of that time, and that trade had decreased for want of merchants. After thus stating generally the grievances which had afflicted the trade and population of the country, and the necessity of encouraging emigration from abroad, it goes on, and says, that strangers may be induced to transport themselves and families to replenish the country, if they may be made partakers of the advantages and free exercise of their trades without interruption and disturbance. The grievance was the scarcity of men; the remedy was the encouragement of foreigners to transport themselves, and the encouragement given was such a degree of protection as was necessary to the full exercise of their trades in the dealing, buying and selling, and enjoying the full extent of personal security. Therefore it enacts, that all foreigners of the protestant religion, and all merchants, &c. who shall, within the term of seven years, transport themselves to this country, shall be deemed and reputed natural-born subjects, and 'may implead and be impleaded,' and 'prosecute and defend suits.' The intention was to give them protection for the purposes for which they were encouraged to come here; and therefore the statute, instead of saying, generally, 'they shall be subjects to all intents and purposes,' specifically enumerates the privileges they shall enjoy. If the legislature intended to make them 'subjects to all intents and purposes,' it had nothing more to do than say so.* But not having meant any such thing, the statute is confined to the enumeration of the mere hospitable rights and privileges to be granted to such foreigners as come here for special purposes. It states, 'he may implead, and he shall be answered unto;' that 'he may prosecute and defend suits.' Why go on and tell a man, who is to all intents and purposes a natural-born subject, that he may implead and bring actions? I say, it is to all intents and purposes absurd and preposterous. If all privileges be granted in the first instance, why mention particular parts afterwards? A man would be esteemed absurd, who by his grant gave

* The statute does say this generally, in the first instance; but the subsequent enumeration of particular privileges supports the view that Mr. Curran took of it.

a thing under a general description, and afterwards granted the particular parts. What would be thought of a man, who gave another his horse, and then said to the grantee, 'I also give you liberty to ride him when and where you please?' What was the case here? The government of Ireland said, 'we want men of skill and industry; we invite you to come over; our intention is, that if you be protestants, you shall be protected; but you are not to be judges, or legislators, or kings; we make an act of parliament, giving you protection and encouragement to follow the trades, for your knowledge in which we invite you. You are to exercise your trade as a natural-born subject. How? 'With full power to make a bargain, and enforce it. We invest you with the same power, and you shall have the same benefit, as if you were appealing to your own natural forum of public justice. You shall be here as a Frenchman in Paris, buying and selling the commodities appertaining to your trade.'

"Look at another clause in the act of parliament, which is said to make a legislator of this man, or a juror, to pass upon the life or death of a fellow-subject—no, not a fellow-subject, but a stranger. It says, 'you may purchase an estate, and you may enjoy it, without being a trustee for the crown.' Why was that necessary, if he were a subject to all intents and purposes? But, my lords, a great question remains behind to be decided upon. I know of no case upon it. I do not pretend to say that the industry of other men may not have discovered a case. But I would not be surprised if no such case could be found—if, since the history of the administration of justice, in all its forms, in England, a stranger had not been found intruding himself into its concerns—if, through the entire history of our courts of justice, an instance was not to be found of the folly of a stranger interfering upon so awful a subject as the breach of allegiance between a subject and his king. My lords, I beg leave upon this part to say, that it would be a most formidable thing, that a court of justice would pronounce a determination big with danger, if they should say that an alien may find a bill of indictment involving the doctrine of allegiance. It is permitting him to intermeddle in a business of which he cannot be supposed to have any knowledge. Shall a subject of the Irish crown be

charged with a breach of his allegiance upon the saying of a German, an Italian, a Frenchman, or a Spaniard? Can any man suppose any thing more monstrous or absurd, than that of a stranger being competent to form an opinion upon the subject? I would not form a supposition upon it. At a time, when the generals, the admirals, and the captains of France, are endeavouring to pour their armies upon us, shall we permit their petty detachments to attack us in judicial hostility? Shall we sit inactive, and see their skirmishes take off our fellow-subjects by explosions in a jury-room?

"When did this man come into this country? Is the raft upon which he floated now in court? What has he said upon the back of the bill? What understanding had he of it? If he can write more than his own name, and had written 'ignoramus' upon the back of the indictment, he might have written truly; he might say he knew nothing of the matter. He says he is naturalized. 'I am glad of it; you are welcome to Ireland, sir; you shall have all the privileges of a stranger, independent of the invitation by which you came. If you sell, you shall recover the price of your wares; you shall enforce the contract. If you purchase an estate, you shall transmit it to your children, if you have any; if not, your devisee shall have it. But you must know, that in this constitution there are laws binding upon the court as strongly as upon you. The statute itself, which confers the privileges you enjoy, makes you incapable of discharging offices. Why? Because they go to the fundamentals of the constitution, and belong only to those men who have an interest in that constitution transmitted to them from their ancestors.' Therefore, my lords, the foreigner must be content; he shall be kept apart from the judicial functions;—in the extensive words of the act of parliament, he shall be kept from 'all places of trust whatsoever.' If the act had been silent in that part, the court would, notwithstanding, be bound to say, that it did not confer the power of filling the high departments of the state, The alien would still be incapable of sitting in either houses of parliament—he would be incapable of advising with the king, or holding any place of constitutional trust whatever. What? shall it be said there is no trust in the office of a grand juror? I do not

speak or think lightly of the sacred office confided to your lordships, of administering justice between the crown and subject, or between subject and subject;—I do not compare the office of grand juror to that;—but, in the name of God, with regard to the issues of life and death—with regard to the consequences of imputed or established criminality—what difference is there in the constitutional importance between the juror who brings in a verdict, and the judge who pronounces upon that verdict the sentence of the law? Shall it be said that the former is no place of trust? What is the place of trust meant by the statute? It is not merely giving a thing to another, or depositing it for safe custody;—it means *constitutional* trust, the trust of executing given departments, in which the highest confidence must be reposed in the man appointed to perform them. It means not the trust of keeping a paltry chattel—it means the awful trust of keeping the secrets of the state and of the king. Look at the weight of the obligation imposed upon the juror—look at the enormous extent of the danger, if he violate or disregard it. At a time like the present, a time of war—what, is the trust to be confided to the conscience of a Frenchman? But I am speaking for the lives of my clients; and I do not choose even here to state the terms of the trust, lest I might furnish as many hints of mischief as I am anxious to furnish arguments of defence. But shall a Frenchman at this moment be entrusted with those secrets upon which your sitting upon the bench may eventually depend? What is the inquiry to be made? Having been a pedlar in the country, is he to have the selling of the country, if he be inclined to do so? Is he to have confided to him the secrets of the state? He *may* remember to have had a *first* allegiance, and that he was *sworn* to it. He might find civilians to aid his perfidious logic, and to tell him, that a secret, communicated to him by the humanity of the country which received him, might be disclosed to the older and better matured allegiance sworn to a former power! He might give up the perfidious use of his conscience to the integrity of the older title. Shall the power of calling upon an *Irishman* to take his trial before an *Irish* judge, before the country, be left to the broken speech, the *lingua franca* of a stranger, coming among you, and saying, 'I was naturalized

by act of parliament, and I cannot carry on my trade without dealing in the blood of your citizens?' He holds up your statute as his protection, and flings it against your liberty, claiming the right of exercising a judicial function, and feeling, at the same time, the honest love for an older title to allegiance. It is a love which every man ought to feel, and which every subject of this country would feel, if he left his country to-morrow, and were to spend his last hour among the Hottentots of Africa. I do trust in God there is not a man that hears me, who does not feel that he would carry with him, to the remotest part of the globe, the old ties which bound him to his original friends, his country, and his king. I do, as the advocate of my clients, of my country—as the advocate for you, my lords, whose elevation prevents you from the possibility of being advocates for yourselves—for your children I do stand up; and rely upon it, that this act of parliament has been confined to a limited operation—it was enacted for a limited purpose, and will not allow this meddling stranger to pass upon the life, fame, or fortune, of the gentlemen at the bar—of me, their advocate—of you, their judges—or of any man in the nation. It is an intrusion not to be borne."

Mr. Plunket followed Mr. Curran on the same side; but, after a long discussion, it was ruled by the court, that the office of grand juror was not one of the *offices of trust* alluded to by the legislature, and, consequently, that the person objected to was competent to fill it. The prisoners were, therefore, in the language of the law, "awarded to answer over." Their trial was, upon their own application, in consequence of the absence of witnesses, postponed till the 12th of July, when it came on for final decision before Lord Carleton, Mr. Justice Crookshank, and Mr. Baron Smith.

Mr. Curran's speech upon this occasion,* which was considered as the most moving that he had ever pronounced, was rendered

* This speech, in its reported state, is by no means the most favourable specimen of Mr. Curran's eloquence. Several passages in it are broken and unconnected, which may be attributed either to the incorrectness of the reporter, or to the extreme exhaustion of the speaker. If the defect arose from the latter cause, the solemnity of his delivery atoned for it with his auditors; for nothing could exceed the effect which it produced upon them. The suppression of this defence has been so often the subject of public regret, that the whole of it, as it has been preserved, is given here.

peculiarly affecting, by the circumstances that accompanied its delivery. Notwithstanding the length of many of the state trials of this period, the courts seldom adjourned till the proceedings were concluded, so that their sittings were not only protracted to a late hour of the night, but it was not unusual for the returning morning to find them still occupied with their melancholy labours.

It was midnight when Mr. Curran rose to address the jury; and the feelings with which he entered on the task cannot be perfectly conceived, without adverting to the persons who were grouped around him. At the bar stood his clients, connected with each other by blood, with their advocate, and many more of the surrounding audience, by profession, and with the presiding judge by the ties of hereditary friendship.* Upon the bench he saw in Lord Carleton one of his own oldest and most valued friends, with whom he was now to intercede, if intercession could avail, for those who had so many tender claims to his merciful consideration; while upon the jury appeared several whom Mr. Curran (and probably his clients) had long known as acquaintances and companions, and with more than one of whom he had lived, and was still living, upon terms of the most confidential intimacy. When to this collection of private relations, so unusual upon such an occasion, are added the other attending public circumstances, it is not surprising that the surviving spectators of this memorable scene should speak of it as marked by indescribable solemnity. The fate that impended over the unfortunate brothers—the perturbed state of Ireland—the religious influence of the hour—the throng of visages in the galleries, some of them disfigured by poverty, others betraying, by their impassioned expression, a consciousness of participation in the offence for which the accused were about to suffer, and all of them rendered haggard and spectral by the dim lights that discovered them—the very presence of those midnight lights so associated in Irish minds with images of death—every thing combined to inspire the beholders, who were now enfeebled by exhaustion, with a superstitious awe, and to make the objects, amidst which the advo-

* Lord Carleton had been the intimate friend of the parents of the prisoners—(see the conclusion of the trial:)—a report even prevailed that he had been the guardian of the latter; but this, it is presumed, was incorrect.

cate rose to perform the last offices to his sinking clients,* appear not so much a reality, as the picture of a strained and disturbed imagination.

Mr. Curran.†—"My lord, before I address you or the jury, I would wish to make one preliminary observation. It may be an observation only—it may be a request. For myself I am indifferent; but I feel I am now unequal to the duty—I am sinking under the weight of it. We all know the character of the jury: the interval of their separation must be short, if it should be deemed necessary to separate them. I protest I have sunk under this trial. If I must go on, the Court must bear with me;—the jury may also bear with me;—I will go on until I sink;—but, after a sitting of

* Mr. Curran was nominally counsel for only one of the prisoners: he had originally been the assigned counsel for both; but before the trial commenced, at the request of John Sheares, Mr. Ponsonby was assigned one of his counsel in the room of Mr. Curran, in order to give the prisoners four counsel between them. The other two were Mr. Plunket and Mr. M'Nally. But as the charge and evidence against both the prisoners were the same, the counsel for one was virtually defending the other.

† That the reader may more fully comprehend the topics of Mr. Curran's speech for the prisoners, the following summary of the leading articles of the evidence is inserted. The principal witness for the crown, John Warnford Armstrong, of the King's County militia, proved the overt-acts of high treason laid in the indictment. He swore that he was introduced by Mr. Byrne, a bookseller of Dublin, to the prisoners, who, supposing him (Armstrong) to be an United Irishman, freely communicated to him their treasonable designs. He had subsequent interviews with them at their own homes, the subjects of which he regularly reported to Colonel L'Estrange and Captain Clibborn of his own regiment, to Mr. Cooke of the Castle, and to Lord Castlereagh. Doubts having been entertained of the witness' belief in the existence of a Deity, and a future state of rewards and punishments, Mr. Curran, who cross-examined him, pressed him upon those points. Captain Armstrong swore that he had always professed that belief, and that he had never derided the obligation of an oath.

He also swore that he had never said, "that, if no other person could be found to cut off the head of the king of England, that he (the witness would do it;" and that he had never declared "that the works of Paine contained his creed."

To these latter articles of Armstrong's evidence was opposed that of T. Drought, Esq. who swore that Armstrong, with whom he was very intimate, had frequently uttered atheistical opinions; and, with his usual calmness of manner, had spoken of the future state of the soul of man as an *eternal sleep—annihilation—non-existence.*

R. Bride, Esq. barrister at law, swore that he had heard Armstrong speak slightingly of the obligation of an oath.

C. R. Shervington, Esq. (Lieutenant, 41st regiment, and uncle to Armstrong) swore that Armstrong had said, in his presence, that if there was not another executioner in the kingdom for George the Third, he would be one, and pique himself upon it; and that, upon another occasion, Armstrong handed him Paine's Rights of Man, saying, Read this, it is my creed.

sixteen hours, with only twenty minutes interval, in these times, I should hope it would not be thought an obtrusive request, to hope for a few hours interval for repose, or rather for recollection."

Lord Carleton.—"What say you, Mr. Attorney-General?"

Mr. Attorney-General Toler.—"My lords, I feel such public inconvenience from adjourning cases of this kind, that I cannot consent. The counsel for the prisoners cannot be more exhausted than those for the prosecution. If they do not choose to speak to the evidence, we shall give up our right to speak, and leave the matter to the Court altogether. They have had two speeches already; and leaving them unreplied to is a great concession."

Lord Carleton. "We would be glad to accommodate as much as possible. I am as much exhausted as any other person; but we think it better to go on."

Mr. Curran. "Gentlemen of the jury: it seems that much has been conceded to us. God help us! I do not know what has been conceded to me—if so insignificant a person may have extorted the remark. Perhaps it is a concession that I am allowed to rise in such a state of mind and body, of collapse and deprivation, as to feel but a little spark of indignation raised by the remark, that much has been conceded to the counsel for the prisoners; much has been conceded to the prisoners! Almighty and merciful God, who lookest down upon us, what are the times to which we are reserved, when we are told that much has been conceded to prisoners who are put upon their trial at a moment like this—of more darkness and night of the human intellect than a darkness of the natural period of twenty-four hours—that public convenience cannot spare a respite of a few hours to those who are accused for their lives; and that much has been conceded to the advocate, almost exhausted, in the poor remark which he has endeavoured to make upon it!

My countrymen, I do pray you, by the awful duty which you owe your country—by that sacred duty which you owe your character (and I know how you feel it) I do obtest you, by the Almighty God, to have mercy upon my client—to save him, not from the consequences of his guilt, but from the baseness of his accusers, and the pressure of the treatment under which I am sinking. With

what spirit did you leave your habitations this day? In what state of mind and heart did you come here from your family? With what sentiments did you leave your children, to do an act of great public importance—to pledge yourselves at the throne of Eternal Justice, by the awful and solemn obligation of an oath, to do perfect, cool, impartial, and steady justice, between the accuser and the accused? Have you come abroad under the idea, that public fury is clamorous for blood—that you are put there under the mere formality or ceremonial of death, and ought to gratify that fury with the blood for which it seems to thirst? If you are—I have known some of you*—more than one, or two, or three—in some of those situations, where the human heart speaks its honest sentiments. I think I ought to know you well—you ought to know me; and there are some of you who ought to listen to what so obscure an individual may say, not altogether without some degree of personal confidence and respect. I will not solicit your attention, by paying the greatest compliment which man can pay to man; but I hold you in regard as being worthy of it; I will speak such language as I would not stoop to hold if I did not think you worthy of it. Gentlemen, I will not be afraid of beginning with what some may think I should avoid—the disastrous picture which you must have met upon your way to this court. A more artful advocate might endeavour to play with you, in supposing you to possess a degree of

* One of the persons on the jury to whom the observation was particularly directed, was Sir John Ferns, with whom Mr. Curran had been long connected by habits of private friendship, and in whose society he had passed many of his happiest hours of convivial relaxation.

The following little impromptu shows, in a striking point of contrast, the different styles in which different occasions induced the writer to address the same individual.

TO SIR JOHN FERNS,

WITH A BOTTLE OF CHAMPAIGNE.

This bottle I've raised from the dust,
Where for many a year it had lain,
In hope that one day with the just
It might rise and might sparkle again.

And now, my dear Sir John, I send
This type of good tidings to come,
That the grave-digger's empire must end,
And his pris'ners get loose from the tomb.

J. P. C.

pity and of feeling beyond that of any other human being. But I, gentlemen, am not afraid of beginning by warning you against those prejudices which all must possess—by speaking strongly against them—by striking upon the string—if not strong enough to snap it, I will wake it into vibration. Unless you make an exertion beyond the power almost of men to make, you are not fit to try this cause. You may preside at such an execution as the witness would extol himself for*—at the sentence flowing from a very short inquiry into reason. But you are not fit to discharge the awful trust of honest men coming into the box, indifferent as they stood unsworn, to pronounce a verdict of death and infamy, or of existence and of honour. You have only the interval between this and pronouncing your verdict to reflect; and the other interval, when you are resigning up your last breath, between your verdict and your grave, when you lament that you did not as you ought.

Do you think I want to flatter your passions? I would scorn myself for it. I want to address your reason—to call upon your consciences—to remind you of your oaths, and the consequence of that verdict, which, upon the law and the fact, you must give between the accuser and the accused. Part of what I shall say must of necessity be addressed to the Court for it is a matter of law.—But upon this subject, every observation in point of law is so inseparably blended with the fact, that I cannot pretend to say that I can discharge your attention, gentlemen, even when I address the Court. On the contrary I shall the more desire your attention, not so much that you may understand what I shall say, as what the Court shall say.

* Captain Armstrong, the witness in this case, having been questioned by Mr. Curran regarding the death of two countrymen, replied, "We were going up Blackmore Hill, under Sir James Duff; there was a party of rebels there. We met three men with green cockades: one we shot—another we hanged—and the third we flogged and made a guide off." Thomas Drought, Esq. (one of the witnesses for the prisoners) gave in evidence a conversation which he had held with Armstrong respecting this transaction. "I asked him (said Mr. Drought) how he could possibly reconcile it to himself to deprive those wretches of life, without even the form of a trial. He acknowledged that they did so. I asked him whether he expected any punishment for it; and though he did not expect it from government, yet that there was an all-powerful Being who would punish him. He said, 'you know my opinion long ago upon this subject.'" This was the execution to which Mr. Curran above alluded.

"Gentlemen, this indictment is founded upon the statute 25 Ed. III. The statute itself begins with a melancholy observation upon the proneness to deterioration, which has been found in all countries, unfortunately, to take place in their criminal law, particularly in the law respecting High Treason. The statute begins with reciting, that, in the uncertainty of adjudications, it became difficult to know what was treason, and what was not: and, to remove further difficulty, it professes to declare all species of treason that should thereafter be so considered; and, by thus regulating the law, to secure the state and the constitution, and the persons of those interested in the executive departments of the government, from the common acts of violence that might be used to their destruction. The three first clauses of the statute seem to have gone a great way indeed upon the subject; because the object of the provisions was to protect the person—and I beg of you to understand what I mean by person—I mean the *natural person;* I mean no figure of speech—not the monarch in the abstract, but the natural man; the first clause was made without the smallest relation to the executive power, but solely to the natural body and person. The words are, "When a man doth compass or imagine the death of the king, or of our lady his queen, or their eldest son and heir, and thereof be of sufficient proof attainted of open deed by men of his condition, he shall be a traitor." This, I say, relates only to the natural person of the king. The son and heir of the king is mentioned in the same manner; but he has no power, and therefore a compassing his death must mean the death of his natural person; and so must it be in the case of the king. To conceive the purpose of destroying a common subject was once a felony of death; and that was expressed in the same language, compassing and imagining the death of the subject. It was thought right to dismiss that severe rigour of the law in the case of the subject; but it was thought right to continue it in the case of the king, in contradistinction to all the subjects within the realm.

"The statute, after describing the persons, describes what shall be evidence of that high and abominable guilt: it must appear by open deed—the intention of the guilty heart must be proved by evidence of the open deed committed towards the accomplishment of

the design. Perhaps in the hurry of speaking—perhaps from the mistakes of reporters; sometimes from one, and sometimes from the other, judges are too often made to say that such or such an overt act is, if proved to have been committed, ground upon which the jury must find the party guilty of the accusation. I must deny the position, not only in the reason of the thing, but I am fortified by the ablest writers upon the law of treason. In the reason of the thing; because the design entertained, and act done, are matters for the jury. Whether a party compassed the king's death or not, is matter for the jury; and, therefore, if a certain fact be proved, it is nonsense to say that such a *conclusion* must follow; because a conclusion of law would then be pronounced by the jury, not by the court. I am warranted in this by the writers cited by Mr. Justice Foster; and therefore, gentlemen, upon the first count in the indictment you are to decide a plain *matter of fact:* 1st, Whether the prisoner did compass and imagine the death of the king? or whether there be any act proved, or apparent means taken, which he resorted to for the perpetration of that crime? Upon this subject many observations have already been made before me. I will take the liberty of making one: I do not know whether it has been made before. Even in a case where the overt act stated has of its own nature gone to the person of the king, still it is left to the jury to decide, whether it was done with the criminal purpose alleged or not? In Russel's case there was an overt act of the conspiracy to seize the guards; natural consequence threatened from an act of gross violence so immediately approaching the king's person, might fairly be said to affect his life; but still it was left to the jury to decide whether that was done for the purpose of compassing the king's death. I mention this, because I think it a strong answer to those kinds of expressions, which in bad times fall from the mouths of prosecutors, neither law nor poetry, but sometimes half metaphysical. Laws may be enacted in the spirit of sound policy, and supported by superior reason; but when only half considered, and their provisions half enumerated, they become the plague of government, and the grave of principle. It is that kind of refinement and cant which overwhelmed the law of treason, and brought it to a metaphysical death; the laws are made to pass through a

contorted understanding, vibratory and confused; and therefore, after a small interval from the first enaction of any law in Great Britain, the dreams of fancy get around, and the law is lost in the mass of absurd comment. Hence it was, that the statute gave its awful declarations to those glossarists, so that if any case should arise, apparently within the statute, they were not to indulge themselves in conjecture, but refer to the standard, and abide by the law as marked out for them. Therefore, I say, that the issue for the jury here is to decide, in the words of the statute, whether the prisoners "did compass the death of the king," and whether they can say, upon their oaths, that there is any overt act proved in evidence, manifesting an intention of injury to the natural person of the king.

"I know that the semblance of authority may be used to contradict me. If any man can reconcile himself to the miserable toil of poring over the records of guilt, he will find them marked, not in black, but in red, the blood of some unfortunate men, leaving the marks of folly, barbarity, and tyranny. But I am glad that men, who, in some situations, appear not to have had the pulse of honest compassion, have made sober reflections in the hour of political disgrace. Such has been the fate of Lord Coke; who, in the triumph and insolence of power, pursued a conduct, which, in the hour of calm retreat he regretted in the language of sorrow and disappointment. He then held a language which I willingly repeat, 'that a conspiracy to levy war was no act of compassing the murder of the king.' There he spoke the language of law and good sense; for a man shall not be charged with one crime, and convicted of another. It is a narrow and a cruel policy to make a conspiracy to levy war an act of compassing the king's death, because it is a separate and distinct offence; because it is calling upon the honest affections of the heart, and creating those pathetical effusions which confound all distinct principles of law, a grievance not to be borne in a state where the laws ought to be certain.

"This reasoning is founded upon the momentary supposition that the evidence is true, for you are to recollect the quarter from whence it comes: there has been an attempt, by precipitate confession, to transfer guilt to innocence, in order to escape the punishment of the law. Here, gentlemen, there is evidence of levying

war, which act, it is said, tends to the death of the king. That is a constructive treason, calculated as a trap for the loyalty of a jury, therefore you should set bounds to proceedings of that kind; for it is an abuse of the law to make one class of offence, sufficiently punished already, evidence of another. Every court, and every jury, should set themselves against crimes, when they come to determine upon distinct and specified guilt; but they are not to encourage a confusion of crimes by disregarding the distinction of punishments, nor to show the effusion of their loyalty by an effusion of blood.

"I cannot but say, that when cases of this kind have been under judgment in Westminster Hall, there was some kind of natural reason to excuse this confusion in the reports—the propriety of making the person of the king secure: a war immediately adjoining the precincts of the palace—a riot in London—might endanger the life of the king. But can the same law prevail in every part of the British empire? It may be an overt act of compassing the king's death to levy war in Great Britain; but can it be so in Jamaica, in the Bahama Islands, or in Corsica, when it was annexed to the British empire? Suppose at that time a man had been indicted there for compassing the king's death, and the evidence was that he intended to transfer the dominion of the island to the Genoese or the French; what would you say, if you were told that was an act by which he intended to murder the king? By seizing Corsica he was to murder the king! How can there be any immediate attempt upon the king's life by such a proceeding? It is not possible, and therefore no such consequence can be probably inferred; and therefore I call upon you to listen to the court with respect; but I also call upon you to listen to common sense, and to consider whether the conspiring to raise war in this country be an overt act of compassing the king's death in this country.* I will go further.

* This point was strongly urged by Mr. Ponsonby, counsel for John Sheares, and by Mr. Curran's colleague, Mr. Plunket; but the Court decided that it was untenable. The Prime Serjeant observed upon it with more zeal than logical consistency:—"It was *for this day* reserved to broach the alarming and monstrous position. I trust in God that the authority of such opinions has not gone abroad; and that the rebellion, which has for some time ravaged the country, has not been matured by such a doctrine." Lord Carleton, instead of countenancing so absurd an insinuation against the counsel, answered their arguments in the language of compliment and respect.

If the statute of Edward III. had been conceived to make a conspiracy to levy war an overt act of compassing the king's death, it would be unnecessary to make it penal by any subsequent statute; and yet subsequent statutes were enacted for that purpose, which I consider an unanswerable argument, that it was not considered as coming within the purview of the clause against compassing the king's death. Now, gentlemen, you will be pleased to consider what was the evidence brought forward to support this indictment. I do not think it necessary to exhaust your attention by stating at large the evidence given by Captain Armstrong. He gave an account which we shall have occasion to examine with regard to its credibility. He stated his introduction, first, to Mr. Henry Sheares, afterwards to his brother; and he stated a conversation, which you do not forget, so strange has it been! But, in the whole course of his evidence, so far from making any observation, or saying a word of connexion with the power at war with the king, he expressly said, that the insurrection, by whomsoever prepared, or by what infatuation encouraged, was to be a *home* exertion, independent of any foreign interference whatever. And, therefore, I am warranted in saying, that such an insurrection does not come within the first clause of the statute. It cannot come within the second, of adhering to the king's enemies, because that means his foreign enemies; and here, so far from any intercourse with them, they were totally disregarded.

"Adhering to the king's enemies means co-operating with them, sending them provisions, or intelligence, or supplying them with arms. But I venture to say, that there has not been any one case, deciding that any act can be an adherence to a foreign enemy, which was not calculated for the advantage of that enemy. In the case of Jackson, Hensey, and Lord Preston, the parties had gone as far as they could in giving assistance. So it was in Quigley's. But, in addition to this, I must repeat, that it is utterly unnecessary that the law should be otherwise, for levying war is of itself a crime; therefore it is unnecessary, by a strained construction, to say, that levying war, or conspiring to levy war, should come within any other clause equally penal, but not so descriptive.

"But, gentlemen, suppose I am mistaken in both points of my argument—suppose the prisoners (if the evidence were true) did compass the king's death, and adhere to the king's enemies: what are you to found your verdict upon? Upon your oaths: what are they to be founded upon? Upon the oath of the witness: and what is that founded upon?—upon this, and this only—that he does believe there is an eternal God, an intelligent supreme existence, capable of inflicting eternal punishment for offences, or conferring eternal compensation upon man after he has passed the boundary of the grave. But where the witness believes that he is possessed of a perishing soul, and that there is nothing upon which punishment or reward can be exerted, he proceeds, regardless of the number of his offences, and undisturbed by the terrors of exhausted fancy, which might save you from the fear that your verdict is founded upon perjury. Suppose he imagines that the body is actuated by some kind of animal machinery—I know not in what language to describe his notions—suppose his opinion of the beautiful system framed by the almighty hand to be, that it is all folly and blindness compared to the manner in which he considers himself to have been created—or his abominable heart conceives his ideas, or his tongue communicates his notions;—suppose him, I say, to think so—what is perjury to him? He needs no creed, if he thinks his miserable body can take eternal refuge in the grave, and the last puff of his nostrils can send his soul into annihilation! He laughs at the idea of eternal justice, and tells you, that the grave, into which he sinks as a log, forms an intrenchment against the throne of God and the vengeance of exasperated justice!

"Do you not feel, my fellow-countrymen, a sort of anticipated consolation in reflecting upon the religion which gave us comfort in our early days, enabled us to sustain the stroke of affliction, and endeared us to one another; and, when we see our friends sinking into the earth, fills us with the expectation that we rise again—that we but sleep for a while to wake for ever. But what kind of communion can you hold—what interchange expect—what confidence place in that abject slave—that condemned, despaired of wretch, who acts under the idea that he is only the folly of a moment—that he cannot step beyond the threshold of the grave—that that, which

is an object of terror to the best, and of hope to the confiding, is to him contempt or despair?

"Bear with me, my countrymen; I feel my heart running away with me—the worst men only can be cool. What is the law of this country? If the witness does not believe in God, or a future state, you cannot swear him. What swear him upon? Is it upon the book or the leaf? You might as well swear him by a bramble or a coin. The ceremony of kissing is only the external symbol by which man seals himself to the precept, and says, 'May God so help me, as I swear the truth.' He is then attached to the Divinity upon the condition of telling truth; and he expects mercy from Heaven, as he performs his undertaking. But the infidel! By what can you catch his soul? or by what can you hold it? You repulse him from giving evidence; for he has no conscience—no hope to cheer him—no punishment to dread! What is the evidence touching that unfortunate young man? What said his own relation, Mr. Shervington? He had talked to him freely—had known him long. What kind of character did he give of him? Paine was his creed and his philosophy. He had drawn his maxims of politics from the vulgar and furious anarchy broached by Mr. Paine. His ideas of religion were adopted from the vulgar maxims of the same man—the scandal of inquiry—the blasphemer of his God as of his king. He bears testimony against himself, that he submitted to the undertaking of reading both his abominable tracts—that abominable abomination of all abominations, Paine's Age of Reason; who professes to teach mankind, by acknowledging that he did not learn himself! Why not swear the witness upon the vulgar maxims of that base fellow, that wretched outlaw and fugitive from his country and his God? Is it not lamentable to see a man labouring under an incurable disease, and fond of his own blotches? 'Do you wish,' says he, 'to know my sentiments with regard to politics; I have learned them from Paine! I do not love a king; and, if no other executioner could be found, I would myself plunge a dagger into the heart of George III. because he is a king. And because he is my king, I swear, by the sacred missal of Paine, I would think it a meritorious thing to plunge a dagger into his heart, or whom I had devoted a soul which Mr. Paine says I have not to

lend.' Is this the casual effusion of a giddy young man, not considering the meaning of what he said? If it were said among a parcel of boarding-school misses, where he might think he was giving specimens of his courage, by nobly denying religion, there might be some excuse. There is a latitude assumed upon some such occasions. A little blasphemy and a little obscenity passes for wit in some companies. But recollect it was not to a little miss, whom he wished to astonish, that he mentioned these sentiments, but to a kinsman, a man of that boiling loyalty, I confess I did not approve of his conduct in the abstract, talking of running a man through the body;* but I admired the honest boldness of the soldier who expressed his indignation in such warm language. If Mr. Shervington swore truly, Captain Armstrong must be a forsworn witness—it comes to that simple point. You cannot put it upon other ground. I put it to your good sense—I am not playing with your understandings—I am putting foot to foot, and credit to credit. One or other of the two must be perjured; which of them is it? If you disbelieve Captain Armstrong, can you find a verdict of blood upon his evidence?

"Gentlemen, I go further. I know your horror of crimes—your warmth of loyalty. They are among the reasons why I respect and regard you. I ask you, then, will you reject such a witness? or would you dismiss the friend you regarded, or the child you loved, upon the evidence of such a witness? Suppose him to tell his own story. 'I went to your friend, or your child—I addressed myself in the garb of friendship, in the smile of confidence, in order to betray it. I traduced you—spoke all the evil I could against you, to inflame him. I told him your father does not love you.' If he went to you, and told you this—that he inflamed your child, and abused you to your friend, and said, 'I come now to increase it, by the horror of superadded cruelty,' would you dismiss from your love or affection the child or the friend you loved for years? You would not prejudge them. You would examine

* This alludes to a part of Mr. Shervington's testimony. "I met Captain Clibborn, and told him I was sorry to find that John Armstrong was finding the secrets of men in order to discover them. He told me it was a different thing—that the Sheareses wanted to seduce him from his allegiance. 'Damn him,' said I, 'he should have run them through the body.'"

the consistency of the man's story; you would listen to it with doubt, and receive it with hestitation.

"Says Captain Amstrong, Byrne was my bookseller; from him I bought my little study of blasphemy and obscenity, with which I amused myself.—'Shall I introduce Mr. Sheares to you?—not saying which. What was done then? He thought it was not right till he saw Captain Clibborn. Has he stated any reason why he supposed Mr. Sheares had any wish at all to be introduced to him? any reason for supposing that Byrne's principles were of that kind? or any reason why he imagined the intercourse was to lead to any thing improper? It is most material that he says he never spoke to Byrne upon political subjects: therefore he knew nothing of Byrne's principles, nor Byrne of his. But the proposal was made; and he was so alarmed, that he would not give an answer until he saw his captain. Is not this incredible? There is one circumstance which made an impression upon my mind, that he assumed the part of a public informer; and, in the first instance, came to the field with pledgets and bandages. He was scarcely off the table when a witness came to his credit. It is the first time that I saw a witness taking fright at his own credit, and sending up a person to justify his own character.

"Consider how he has fortified it. He told it all to Captain Clibborn! He saw him every evening, when he returned, like a bee, with his thighs loaded with evidence. What is the defence? that the witness is unworthy of belief. My clients say their lives are not to be touched by such a man: he is found to be an informer; he marks the victim. You know the world too well, not to know that every falsehood is reduced to a certain degree of malleability by an alloy of truth. Such stories as these are not pure and simple falsehoods. Look at your Oateses, your Bedloes, and Dugdales! I am disposed to believe, shocking as it is, that this witness had the heart, when he was surrounded by the little progeny of my client; when he was sitting in the mansion in which he was hospitably entertained; when he saw the old mother, supported by the piety of her son, and the children basking in the parental fondness of the father; that he saw the scene, and smiled at it; contemplated the havoc he was to make, consigning them

to the storms of a miserable world, without having an anchorage in the kindness of a father!* Can such horror exist, and not waken the rooted vengeance of an eternal God? But it cannot reach this man beyond the grave; therefore I uphold him here. I can imagine it, gentlemen; because, when the mind becomes destitute of the principles of morality and religion, all within the miserable being is left a black and desolated waste, never cheered by the rays of tenderness and humanity; when the belief of eternal justice is gone from the soul of man, horror and execution may set up their abode; I can believe that the witness (with what view I cannot say; with what hope I cannot conjecture; you may) did meditate the consigning of these two men to death, their children to beggary and reproach; abusing the hospitality with which he was received, that he might afterwards come here and crown his work, having first obtained the little spark of truth, by which his mass of falsehood was to be put into animation.

"I have talked of the inconsistency of the story. Do you believe it, gentlemen? The case of my client is, that the witness is perjured; and you are appealed to, in the name of that ever living God whom you revere, but whom he despiseth, to consider that there is something to save him from the baseness of such an accuser.

"But I go back to the testimony. I may wander from it; but it is my duty to stay with it. Says he, 'Byrne makes an important application: I was not accustomed to it; I never spoke to him; and yet he, with whom I had no connexion, introduces me to Sheares. This is a true brother.' You see, gentlemen, I state this truly: he never talked to Byrne about politics: how could Byrne know his principles? by inspiration! He was to know the edition of the man as he knew the edition of books. 'You may repose all confidence.' I ask not is this true; but I say it can be nothing else than false. I do not ask you to say it is doubtful; it

* The writer of this is assured, by a gentleman now in Dublin, and who is free from any political zeal which could induce him to invent or distort a fact, that, upon his dining one day at the house of Henry Sheares, immediately before his arrest, he observed Armstrong, who was one of the guests, taking his entertainer's little children upon his knee, and, it was then thought, affectionately caressing them.

is a case of blood; of life or death. And you are to add to the terrors of a painful death the desolation of a family, overwhelming the aged with sorrow, and the young with infamy! Gentlemen, I should disdain to trifle with you; I am pinning your minds down to one point, to show you to demonstration that nothing can save your minds from the evidence of such perjury; not because you may think it false, but because it is impossible it can be true. I put into the scales of justice that execrable perjury; and I put into the other the life, the fame, the fortune, the children of my client. Let not the balance tremble as you hold it: and, as you hold it now, so may the balance of eternal justice be held for you.

"But is it upon his inconsistency only I call upon you to reject him? I call in aid the evidence of his own kinsman, Mr. Shervington, and Mr. Drought; the evidence of Mr. Bride, and Mr. Graydon. Before you can believe Armstrong, you must believe that all these are perjured. What are his temptations to perjury? the hope of bribery and reward:—and he did go up with his sheets of paper in his hand: here is one; it speaks treason: here is another; the accused grows paler: here is a third; it opens another vein. Had Shervington any temptation of that kind? No: let not the honest and genuine soldier lose the credit of it. He has paid a great compliment to the proud integrity of the king his master, when he did venture, at a time like this, to give evidence, 'I would not have come for a hundred guineas!'* I could not refuse the effusion of my heart, and avoid exclaiming, 'May the blessings of God pour upon you; and may you never want a hundred guineas!'

"There is another circumstance. I think I saw it strike your attention, my lords. It was the horrid tale of the three peasants whom he met upon the road: they had no connexion with the rebels. If they had, they were open to a summary proceeding. He hangs up one, shoots a second, and administers torture to the body of the third in order to make him give evidence. Why, my lords, did you feel nothing stir within you? Our adjudications have con-

* When Mr. Shervington was asked, upon his cross-examination by the counsel for the crown, "if he had not kindly come forward, upon hearing that Captain Armstrong was to be a witness against the Sheareses," he answered, "No: I was summoned. I would not have appeared for a hundred guineas."

demned the application of torture for the extraction of evidence. When a wild and furious assassin had made a deadly attempt upon a life of much public consequence, it was proposed to put him to the torture in order to discover his accomplices. I scarcely know whether to admire most the awful and impressive lesson given by Felton, or the doctrine stated by the judges of the land. 'No,' said he, 'put me not to the torture; for, in the extravagance of my pain, I may be brought to accuse yourselves.' What say the judges?—'It is not allowable, by the law and constitution of England, to inflict torture upon any man, or to extract evidence under the coercion of personal sufferings.' Apply that to this case; if the unfortunate man did himself dread the application of such an engine for the extraction of evidence, let it be an excuse for his degradation, that he sought to avoid the pain of body, by public infamy. But there is another observation more applicable: says Mr. Drought, 'Had you no feeling, or do you think you will escape future vengeance?' 'Oh! sir, I thought you knew my ideas too well to talk in that way.' Merciful God! do you think it is upon the evidence of such a man that you ought to consign a fellow subject to death? He who would hang up a miserable peasant to gratify caprice, could laugh at remonstrance, and say, 'you know my ideas of futurity.' If he thought so little of murdering a fellow creature without trial, and without ceremony, what kind of compunction can he feel within himself when you are made the instruments of his savage barbarity? He kills a miserable wretch, looking, perhaps, for bread for his children, and who falls unaccused and uncondemned. What compunction can he feel at sacrificing other victims, when he considers death as eternal sleep, and the darkness of annihilation? These victims are at this moment led out to public execution; he has marked them for the grave; he will not bewail the object of his own work; they are passing through the vale of death, while he is dozing over the expectancy of mortal annihilation.

"Gentlemen, I am too weak to follow the line of observation I had made; but I trust I am warranted in saying, that if you weigh the evidence, the balance will be in favour of the prisoners.

"But there is another topic or two to which I must solicit your attention. If I had been stronger, in a common case I would not have said so much; weak as I am, here I must say more. It may be said that the parol evidence may be put out of the case; that, attribute the conduct of Armstrong to folly, or passion, or whatever else you please, you may safely repose upon the written evidence. This calls for an observation or two. As to Mr. Henry Sheares, that written evidence,* even if the hand writing were fully proved, does not apply to him: I do not say it was not admissible. The writings of Sidney, found in his closet, were read; justly according to some; but I do not wish to consider that now. But I say the evidence of Mr. Dwyer has not satisfactorily established the hand-writing of John. I do not say it is not proved to a certain extent, but it is proved in the very slightest manner that you ever saw paper proved; it is barely evidence to go to you, and the witness might be mistaken. An unpublished writing cannot be an overt act of treason; so it is laid down expressly by Hale and Foster. A number of cases have occurred, and decisions have been pronounced, asserting that writings are not overt acts, for want of publication; but if they plainly relate to an overt act proved, they may be left to the jury for their consideration. But here it has no reference to the overt act laid; it could not have been intended for publication until after the unfortunate event of revolution had taken place, and therefore it could not be designed to create insurrection. Gentlemen, I am not counsel for Mr. John Sheares, but I would be guilty of cruelty if I did not make another observation. This might be an idle composition, or the translation of idle absurdity from the papers of another country; the manner in which it was found leads me to think *that* the more probable. A writing designed for such an event as charged would hardly be left in a writing box, unlocked, in a room near the hall door. The manner of its finding also shows two things; that Henry Sheares knew nothing of it, for he had an opportunity of destroying it, as Alderman Alexander said he had; and further, that he could not have imagined his brother had such a design; and it is impossible, if the paper had been designed for such purposes, that it would not be communicated to him.

* This written evidence was an address to the United Irishmen, in the hand-writing of John Sheares.

"There is a point to which I will beseech the attention of your lordships. I know your humanity, and it will not be applied merely because I am exhausted or fatigued. You have only one witness to any overt act of treason. There is no decision upon the point in this country.* Jackson's case was the first: Lord Clonmel made an allusion to the point; but a jury ought not to find guilty upon the testimony of a single witness. It is the opinion of Foster, that by the common law, one witness, if believed, was sufficient. Lord Coke's opinion is that two were necessary. They are great names; no man looks upon the works of Foster with more veneration than myself, and I would not compare him with the depreciated credit of Coke; I would rather leave Lord Coke to the character which Foster gives him; that he was one of the ablest lawyers, independent of some particulars, that ever existed in England. In the wild extravagance, heat, and cruel reigns of the Tudors, such doctrines of treason had gone abroad as drenched the kingdom with blood. By the construction of crown lawyers and the shameful complaisance of juries, many sacrifices had been made, and therefore it was necessary to prune away these excesses by the stat. of Edward VI. and therefore there is every reason to imagine, from the history of the times, that Lord Coke was right in saying, that not by new statute, but by the common law, confirmed and redeemed by declaratory acts, the trials were regulated. A law of Philip and Mary was afterwards enacted; some think it was a repeal of the stat. of Edward VI. some think not. I mention this diversity of opinions with this view, that in this country, upon a new point of that kind, the weight of criminal prosecution will turn the scale in favour of the prisoner; and that the court will be of opinion that the stat. 7 William III. did not enact any new thing unknown to the common law, but redeemed it from abuse. What was the state of England? The king had been declared to have abdicated the throne: prosecutions, temporising juries, and the arbitrary construction of judges, condemned to the scaffold those who were to protect the crown; men who knew, that, after the destruc-

* This is not correct: it was the unanimous opinion of the three judges of the Court of King's Bench, before whom Jackson was tried, that in Ireland two witnesses were not necessary in cases of High Treason.—See Jackson's trial.

tion of the cottage, the palace was endangered. It was not, then, the enaction of any thing new; it was founded in the caution of the times, and derived from the maxims of the constitution. I know the peevishness with which Burnet observed upon that statute. He is reprehended in a modest manner by Foster. But what says Blackstone, of great authority, of the clearest head, and the profoundest reading? He differs from Montesquieu, the French philosopher.

" 'In cases of treason there is the accused's oath of allegiance to counterpoise the information of a single witness; and that may, perhaps, be one reason why the law requires a double testimony to convict him: though the principal reason, undoubtedly, is to secure the subject from being sacrificed to fictitious conspiracies, which have been the engines of profligate and crafty politicians in all ages.'*

" Gentlemen, I do not pretend to say that you are bound by an English act of parliament. You may condemn upon the testimony of a single witness. You, to be sure, are too proud to listen to the wisdom of an English law. Illustrious independents! You may murder under the semblance of judicial forms, because you are proud of your blessed independence! You pronounce that to be legally done which would be murder in England, because you are proud! You may imbrue your hands in blood, because you are too proud to be bound by a foreign act of parliament: and when you are to look for what is to save you from the abuse of arbitrary power, you will not avail yourself of it, because it is a foreign act of parliament! Is that the independence of an Irish jury? Do I see the heart of any Englishman move when I say to him, 'Thou servile Briton, you cannot condemn upon the perjury of a single witness, because you are held in the tight waistcoat of the cogency of an act of parliament? If power seeks to make victims by judicial means, an act of parliament would save you from the perjury of abominable malice. Talk not of proud slavery to law, but lament that you are bound by the integrity and irresistible strength of right reason; and, at the next step, bewail that the all-powerful Author of nature has bound himself in the illustrious servitude of his attri-

* 4 Bl. Com. 358.

butes, which prevent him thinking what is not true, or doing what is not just.' Go, then, and enjoy your independence. At the other side of the water your verdict, upon the testimony of a single witness, would be murder. But here you can murder without reproach, because there is no act of parliament to bind you to the ties of social life, and save the accused from the breath of a perjured informer. In England a jury could not pronounce a conviction upon the testimony of the purest man, if he stood alone; and yet what comparison can that case bear with a blighted and marred informer? where every word is proved to be perjury, and every word turns back upon his soul?

"I am reasoning for your country and your children, to the hour of your dissolution: let me not reason in vain. I am not playing the advocate: you know I am not. I put this case to the bench: the stat. 7 W. 3. does not bind this country by its legislative cogency; and will you declare positively, and without doubt, that it is common law, or enacting a new one? Will you say it has no weight to influence the conduct of a jury from the authority of a great and exalted nation? the only nation in Europe where Liberty has seated herself. Do not imagine that the man who praises Liberty is singing an idle song: for a moment it may be the song of a bird in his cage: I know it may. But you are now standing upon an awful isthmus, a little neck of land, where Liberty has found a seat. Look about you—look at the state of the country—the tribunals that dire necessity has introduced. Look at this dawn of law, admitting the functions of a jury. I feel a comfort. Methinks I see the venerable forms of Holt and Hale looking down upon us, attesting its countenance. Is it your opinion that bloody verdicts are necessary—that blood enough has not been shed—that the bonds of society are not to be drawn close again, nor the scattered fragments of our strength bound together to make them of force; but that they are to be left in that scattered state, in which every little child may break them to pieces? You will do more towards tranquillizing the country by a verdict of mercy. Guard yourselves against the sanguinary excesses of prejudice or revenge; and, though you think there is a great call of public justice, let no unmerited victim fall.

"Gentlemen, I have tired you. I durst not relax. The danger of my client is from the hectic of the moment, which you have fortitude, I trust, to withstand. In that belief I leave him to you; and, as you deal justice and mercy, so may you find it. And I hope that the happy compensation of an honest discharge of your duty may not be deferred till a future existence—which this witness does not expect—but that you may speedily enjoy the benefits you will have conferred upon your country."

It was between seven and eight o'clock, on the morning of the 13th of July, when the jury retired to consider their verdict. After the deliberation of a few minutes, they returned it, finding both the prisoners guilty. As soon as the verdict was pronounced, the unfortunate brothers clasped each other in their arms. They were brought up for judgment at three o'clock on the same day, upon which occasion they both addressed the court.

Henry, who had a numerous family, was proceeding to request a short respite; but, when he came to mention his wife and children, he was so overwhelmed with tears, that he found it impossible to go on. His brother spoke with more firmness, and at more length. He began by strenuously disavowing the sanguinary intentions that had been imputed to him in consequence of the unpublished address to the insurgents which had been found in his hand-writing, and produced in evidence against him. "The accusation (said he) of which I speak, while I linger here yet a few minutes, is 'that of holding out to the people of Ireland a direction to give no quarter to the troops fighting for its defence.' I cannot only acquit my soul of such an intention, but I declare, in the presence of that God before whom I must shortly appear, that the favourite doctrine of my heart was—*that no human being should suffer death, but where absolute necessity required it.*"

After having spoken for a considerable time to the same effect, he proceeded. "Now, my lords, I have no favour to ask of the court. My country has decided that I am guilty; and the law says that I shall suffer: it sees that I am ready to suffer. But, my lords, I have a favour to request of the court that does not relate to myself. I have a brother, whom I have ever loved dearer than myself;—but it is not from any affection for him alone that I am induced to

make the request; he is a man, and therefore, I hope, prepared to die, if he stood as I do—though I do not stand unconnected; but he stands more dearly connected. In short, my lords, to spare your feelings and my own, I do not pray that I should not die; but that the husband, the father, the brother, and the son, all comprised in one person, holding these relations, dearer in life to him than any man I know; for such a man I do not pray a pardon, for that is not in the power of the court; but I pray a respite for such time as the court, in its humanity and discretion, shall think proper. You have heard, my lords, that his private affairs require arrangement. I have a further room for asking it. If immediately both of us be taken off, an aged and reverend mother, a dear sister, and the most affectionate wife that ever lived, and six children, will be left without protection or provision of any kind. When I address myself to your Lordships, it is with the knowledge you will have of all the sons of our aged mother being gone: two perished in the service of the king, one very recently. I only request, that, disposing of me with what swiftness either the public mind or justice requires, a respite may be given to my brother, that the family may acquire strength to bear it all. That is all I wish. I shall remember it to my last breath; and I will offer up my prayers for you to that Being who has endued us all with sensibility to feel. This is all I ask."

To this affecting appeal, Lord Carleton replied, "In the awful duty imposed on me, no man can be more sensibly affected than I am, because I knew the very valuable and respectable father and mother from whom you are both descended. I knew and revered their virtues. One of them, happily for himself, is now no more: the other, for whom I have the highest personal respect, probably, by the events of this day, may be hastened into futurity. It does not rest with us, after the conviction which has taken place, to hold out mercy—that is for another place; and I am afraid, in the present situation of public affairs, it will be difficult to grant even that indulgence which you, John Shearcs, so pathetically request for your brother. With respect to one object of your soliciting time for your brother, unfortunately it could be of no use; because, by the attainder, he will forfeit all his property, real and personal: nothing to be settled will remain."

His lordship then, after some preliminary observations, pronounced sentence of death upon the prisoners; and, at the prayer of the attorney-general, directed that it should be executed upon them on the succeeding day.

The following is a copy of Mr. John Sheares' farewell letter to his family. It is addressed to his sister, to whom he had been most tenderly attached. It may not have much literary merit; "but nature is there, which is the greatest beauty."

Kilmainham Prison.—Wednesday night.

"The troublesome scene of life is nearly closed; and the hand that now traces these lines, in a short time will be no longer capable of communicating to a beloved family the sentiments of his heart.

"It is now eleven o'clock, and I have only time to address my beloved Julia in a short, eternal farewell. Thou sacred Power!—whatever be thy name and nature—who has created us the frail and imperfect creatures that we are, hear the ardent prayer of one now on the eve of a most awful change. If thy Divine Providence can be affected by mortal supplication, hear and grant, I most humbly beseech thee, the last wishes of a heart that has ever adored thy greatness and thy goodness. Let peace and happiness once more visit the bosom of my beloved family. Let a mild grief succeed the miseries they have endured; and, when an affectionate tear is generously shed over the dust of him who caused their misfortunes, let all their ensuing days glide on in union and domestic harmony. Enlighten my beloved brother: to him and his invaluable wife grant the undisturbed enjoyment of their mutual love; and, as they advance, let their attachment increase. Let my Julia, my feeling, my too feeling Julia, experience that consolation which she has often imparted to others: let her soul repose at length in the consummation of all the wishes of her excellent heart: let her taste that happiness her virtues have so well merited. For my other sisters provide those comforts their situation requires. To my mother,—O, Eternal Power! what gift shall I wish for this matchless parent? Restore her to that peace which I have unfortunately torn from her: let her forget me in the cease-

less affections of my sisters, and in their prosperity: let her taste that happiness which is best suited to her affectionate heart; and, when at length she is called home, let her find, in everlasting bliss, the due reward of a life of suffering virtue.

"Adieu, my dear Julia! My light is just out. The approach of darkness is like that of death, since both alike require me to say farewell! farewell, for ever! O, my dear family, farewell!—Farewell, for ever!

"J. S."

In the cemetery of the church of St. Michan's in Dublin there are vaults for the reception of the dead, of which the atmosphere has the peculiar quality of protracting for many years the process of animal decay. It is not unusual to see there the coffins crumbling away from around what they were intended for ever to conceal, and thus giving up once more to human view their contents, still pertinaciously resisting the influence of time. In this place the unfortunate brothers were deposited; and in this state of undesigned disinterment their remains may be seen to this day, the heads dissevered from the trunks, and "the hand that one traced those lines" not yet mouldered into dust.

CHAPTER XII.

Trials of M'Cann, Byrne, and Oliver Bond—Reynolds the informer—Lord Edward Fitzgerald—his attainder—Mr. Curran's conduct upon the state trials—Lord Kilwarden's friendship—Lines addressed by Mr. Curran to Lady Charlotte Rawdon—Theobald Wolfe Tone—his trial and death.

The trial of the Sheareses was followed by that of John M'Cann on the 17th of July, of William Michael Byrne on the 20th, and Oliver Bond on the 23d of the same month. These were among the persons who had been at the head of the United Irishmen in the metropolis, and whom the government, upon information communicated by one of their associates, had arrested in the preceding March. Mr. Curran acted as leading counsel for them all; but his speeches in the two former cases having been entirely suppressed,* the present account must be confined to his defence of Bond.

This was considered by the bar as the most powerful of his efforts upon the state trials of this year; but those who were present at its delivery scarcely recognise it amidst the defects and distortions of the published report. There exists, however, another, a shorter, but a much more correct one, from which some extracts shall be inserted here. Mr. Curran has been represented, by the detractors of his reputation, as surrounded, during those trials, by an admiring populace, whose passions, instead of endeavouring to control, he was rather anxious to exasperate, by presenting them with exaggerated pictures of the calamities of the times. It is not true that his audiences were of this description: one of the most honourable circumstances of his life is the fact that they were of a far different kind. He was encompassed, indeed, by men whose passions were sufficiently inflamed, but they were passions which it required no ordinary courage in the advocate to brave, and to despise. In his defence of Bond he was repeatedly interrupted, not by bursts of applause, but by violence and menace; with what effect will appear in the course of the following passages.

* M'Cann and Byrne were convicted and executed.

"Gentlemen, much pains has been taken to warm you, and then you are intreated to be cool; when the fire has been kindled, it has been spoken to, and prayed to be extinguished. What is that?"* [Here Mr. Curran was again interrupted by the tumult of the auditors; it was the third time that he had been obliged to sit down: on rising he continued,] "I have very little, scarcely any hope of being able to discharge my duty to my unfortunate client, perhaps most unfortunate in having me for his advocate. I know not whether to impute these inhuman interruptions to mere accident; but I greatly fear they have been excited by prejudice."

[The Court said they would punish any person who dared to interrupt the counsel for the prisoner. "Pray, Mr. Curran, proceed on stating your case; we will take care, with the blessing of God, that you shall not be interrupted."]

"You have been cautioned, gentlemen, against prejudice. I also urge the caution, and not with less sincerity: but what is the prejudice against which I would have you armed? I will tell you: it is that pre-occupation of mind that tries the accused before he is judicially heard; that draws those conclusions from passion which should be founded on proof, and that suffers the temper of the mind to be dissolved and debased in the heat of the season. It is not against the senseless clamour of the crowd, feeling impatient that the idle discussion of fact delays the execution, that I warn you. No: you are too proud, too humane, to hasten the holiday of blood. It is not against any such disgraceful feelings that I warn you. I wish to recall your recollections to your own minds, to guard you against the prejudice of elevated and honest understanding, against the prejudice of your virtues."

"It has been insinuated, and with artful applications to your feelings of national independence, that I have advanced, on a former occasion, the doctrine that you should be bound in your decisions by an English act of parliament, the statute of William III. Reject the unfounded accusation; nor believe that I assail your indepen-

* This question was occasioned by a clash of arms among the military that thronged the court; some of those who were nearest to the advocate appeared, from their looks and gestures, about to offer him personal violence, upon which, fixing his eye sternly on them, he exclaimed, "You may assassinate, but you shall not intimidate me."

dence, because I instruct your judgment and excite your justice. No: the statute of William III. does not bind you; but it instructs you upon a point which before was enveloped in doubt. The morality and wisdom of Confucius, of Plato, of Socrates, or of Tully, does not bind you, but it may elevate and illumine you; and in the same way have British acts of parliament reclaimed you from barbarism. By the statute of William III. two witnesses are necessary, in cases of high treason, to a just and equal trial between the sovereign and the subject; and Sir William Blackstone, one of the wisest and best authorities on the laws of England, states two witnesses to be but a necessary defence of the subject against the profligacy of ministers. In this opinion he fortifies himself with that of Baron Montesque, who says, that, where one witness is sufficient to decide between the subject and the state, the consequences are fatal to liberty; and a people so circumstanced cannot long maintain their independence. The oath of allegiance, which every subject is supposed to have taken, stands upon the part of the accused against the oath of his accuser; and no principle can be more wise or just than that a third oath is necessary to turn the balance. Neither does this principle merely apply to the evidence of a common and impeached informer, such as you have heard this day, but to that of any one witness, however high and respectable his character."

The informer in question was Thomas Reynolds,* a name that

* Reynolds was a silk-mercer of Dublin, who had taken a very active part in the conspiracy. He was, in 1797, a colonel of the United Irishmen, afterwards treasurer and representative of a county, and finally a delegate for the province of Leinster. As the time of the general insurrection approached, either remorse, or the hopes of reward, induced him to apprize the government of the danger. Having previously settled his terms (500 guineas in hand, and personal indemnity) through Mr. Cope, a Dublin Merchant, he gave information of an intended meeting of the Leinster delegates at Mr. Bond's house, upon which those persons, among whom were M'Cann and Byrne, were arrested in the month of March. The evidence of Reynolds, when connected with the papers that were seized, was so conclusive against the three who were tried, that no line of defence remained but to impeach his testimony. The following extracts from Mr. Curran's cross-examination of him will show the manner in which this was attempted.

Thomas Reynolds cross-examined by Mr. Curran.

Q. You talked of yourself as a married man: who was your wife?
A. Her name was Witherington.

will be long remembered in Ireland, and of which the celebrity has been extended to England, by some late discussions of his charac-

Q. Whose daughter?

A. The daughter of Catherine and William Witherington, of Grafton-street.

Q. She has brothers and sisters?

A. One sister and two brothers.

Q. How long are you married?

A. I was married upon the 25th of March, 1794.

Q. You were young when your father died?

A. I was about sixteen years of age.

Q. I think your mother carried on the business after his death?

A. She did.

Q. Do you recollect at that time whether, upon any occasion, you were charged, perhaps erroneously, with having taken any of her money?

A. No, sir, I do not recollect having heard any such charge.

Q. You have sisters?

A. I have, and had sisters.

Q. Some of them were living at the time of your father's death?

A. All that are now living were: there were more, but they died.

Q. Do you recollect having had any charge made of stealing trinkets, or any thing valuable belonging to those sisters?

A. Never. I never was charged with taking any thing valuable belonging to any of my sisters.

Q. Were you ever charged with having procured a skeleton key to open a lock belonging to your mother?

A. I was.

Q. I do not ask you whether the charge were true or not; but you say there was a charge of that kind?

A. I say I was told my mother said so.

Q. She did not believe it I suppose?

A. She did not say any thing she did not believe.

Q. And she said it?

A. I heard so; and I have no reason to doubt it.

Q. It was to open a drawer?

A. No: it was to open an iron chest.

Q. Where there were knives and forks kept?

A. It is not usual to keep such things there. I believe papers were kept there. Mr. Warren was my mother's partner: he kept her in ignorance, and did not supply her with money.

Q. Do you not believe that your mother made this charge?

A. I believe she thought it at the time. She was a woman of truth; though, at times extremely passionate. I wish to say this:—You ask me whether I ever was accused of stealing money, or other valuables or trinkets, from my sisters: I was not; but I was accused of stealing my mother's trinkets. I was then about sixteen years of age.

Q. During the partnership between Mr. Warren and your mother, do you recollect any thing about a piece of lutstring?

A. I do, perfectly well.

Q. Was any charge made of stealing that?

A. The very same charge. I was charged with stealing the lutstring to give it to a girl, and that I also took my mother's jewels for the same purpose

Q. Then the charge consisted of two parts—the taking, and the manner in which they were given away?

A. If you will have it so.

ter in the British parliament. This man had been the principal witness for the crown upon the trials of M'Cann and Byrne; and

Q. I am not asking you whether you committed any facts of this kind or not, but whether the charges were made?
A. I tell you the charges were made; and I took the things.
Q. Then you committed the theft, and you were charged with the stealing?
A. Both of the facts were true.
Q. I did not ask you as to the skeleton key?
A. That charge was untrue.
Q. It did not fit the lock?
A. I had no such key: the charge was unfounded: the others were true.
Q. How long is Mrs. Witherington, your mother-in-law, dead?
A. Twelve months, last April.
Q. Where did she die?
A. In Ash-street: a part of the house was my office, and connected with the house.
Q. How long did she live there?
A. About ten months.
Q. Do you recollect what the good old lady died of?
A. I do not know; but heard it was a mortification in her bowels: she was complaining badly for some days.
Q. Had there been any medicine brought to her?
A. I recollect perfectly well, after she was ill, medicine was brought her.
Q. By whom?
A. By me.
Q. Are you a physician?
A. No: but I will tell you. A Mr. Fitzgerald, a relation of our family, who had been an apothecary, and quitted business, left me a box of medicines, containing castor oil, cream of tartar, rhubarb, tartar emetic, and such things. I had been subject to a pain in my stomach, for which he gave me a quantity of powders in small papers, which I kept for use, and found great relief from: they saved my life. I asked Mrs. Reynolds for one of these papers to give Mrs. Witherington, and it was given to her.
Q. It did not save her life?
A. No, sir; and I am sorry for it.
Q. You paid her a sum of money?
A. I did.
Q. How much?
A. 300*l.*
Q. How long before her death?
A. About a fortnight or three weeks: I got her receipt, and made my clerk account for it in my books.
Q. Were you ever charged with stealing that money?
A. I never heard that such a charge was made: none of the family ever spoke of it to my face.
Q. Captain Witherington is the son of your mother-in-law?
A. He is.
Q. Did he make that charge?
A. Not to myself. I will mention a circumstance: she had a bond, and gave it to Mr. Jones to purchase a commission: he said the money could not be got; and the 300*l.* was asked to purchase the commission: and I always thought that her son, Edward Witherington, got that money. She died suddenly, and had not made a will.
Q. She died suddenly?
A. She died unexpectedly.

it is not improbable that a tenderness for his reputation had occasioned the suppression of Mr. Curran's defences in those cases. The following description of him by Mr. Curran, in Bond's case, has been omitted in the common report:

"I know that Reynolds has laboured to establish a connexion between the prisoner and the meeting held at his house; but how does he manage? he brings forward asserted conversations with persons who cannot confront him—with M'Cann, whom he has sent to the grave, and with Lord Edward Fitzgerald, whose premature death leaves his guilt a matter upon which justice dares not to pronounce. He has never told you that he has spoken to any of these in the presence of the prisoner. Are you then prepared, in a case of life and death, of honour and of infamy, to credit a vile informer, the perjurer of an hundred oaths—a wretch whom pride, honour, or religion could not bind? The forsaken prostitute of every vice calls upon you, with one breath, to blast the memory of the dead, and to blight the character of the living. Do you think Reynolds to be a villain? It is true he dresses like a gentleman; and the confident expression of his countenance, and the tones of his voice, savour strong of growing authority. He measures his value by the coffins of his victims; and, in the field of evidence, appreciates his fame as the Indian warrior does in fight—by the number of scalps with which he can swell his triumphs. He calls upon you, by the solemn league of eternal justice, to accredit the purity of a conscience washed in his own atrocities. He has promised and betrayed—he has sworn and forsworn; and, whether his soul shall go to heaven or to hell, he seems altogether indifferent, for he tells you that he has established an interest in both. He has told you that he has pledged himself to treason and to allegiance, and that both oaths has he contemned and broken.* At this time, when

Q. She died in forty-eight hours after taking this powder, which you gave to cure her?

A. She took the paper on Friday evening, and died on Sunday morning.

* The following is the list of Reynolds' oaths.

Q. (By Mr. Curran). Can you just tott up the different oaths that you took upon either side?

A. I will give the particulars.

Q. No, you may mention the gross.

reason is affrighted from her seat, and giddy prejudice takes the reins—when the wheels of society are set in conflagration by the rapidity of their own motion—at such a time does he call upon a jury to credit a testimony blasted by his own accusation. Vile, however, as this execrable informer must feel himself, history, alas! holds out too much encouragement to his hopes; for, however base, and however perjured, I recollect few instances, in cases between the subject and the crown, where informers have not cut keen, and rode awhile triumphant on public prejudice. I know of few instances wherein the edge of his testimony has not been fatal, or only blunted by the extent of its execution, and retiring from the public view beneath an heap of its own carnage."

Mr. Curran's parting words to the jury in this case have been also omitted in the printed collection of his speeches.

"You have been emphatically called upon to secure the state by a condemnation of the prisoner. I am less interested in the condition and political happiness of this country than you are, for probably I shall be a shorter while in it. I have, then, the greater claim on your attention and your confidence, when I caution you

A. No; I will mention the particulars. I took an oath of secrecy in the county meeting—an oath to my captains, as colonel. After this I took an oath, it has been said—I do not deny it, nor do I say I took it, I was so alarmed; but I would have taken one if required when the United Irishmen were designing to kill me, I took an oath before a county member, that I had not betrayed the meeting at Bond's.* After this I took an oath of allegiance.

Q. Had you ever taken an oath of allegiance before?

A. After this, I took an oath before the privy council. I took two, at different times, upon giving informations respecting these trials. I have taken three since, one upon each of the trials; and, before I took any of them, I had taken the oath of allegiance.

* Upon one occasion Reynolds saved himself from the vengeance of those whom he had betrayed, in a way that was more creditable to his presence of mind. Before he had yet publicly declared his infidelity to the cause of the United Irishmen, as one of their leaders, Samuel Neilson, was passing at the hour of midnight through the streets of Dublin, he suddenly encountered Reynolds, standing alone and unarmed. Neilson, who was an athletic man, and armed, rushed upon him, and commanded him, upon pain of instant death, to be silent and to accompany him. Reynolds obeyed, and suffered himself to be dragged along through several dark and narrow lanes, till they arrived at an obscure and retired passage in the liberties of Dublin. Here Neilson presented a pistol to his prisoner's breast—"What," said the indignant conspirator, "should I do to the villain who could insinuate himself into my confidence for the purpose of betraying me?" Reynolds, in a firm tone, replied, "You should shoot him through the heart." Neilson was so struck by this reply, that, though his suspicions were not removed, he changed his purpose, and putting up his pistol, allowed the other to retire.

This fact is given as related by an eminent Irish barrister, to whom it was communicated by one of the parties.

against the greatest and most fatal revolution—that of the sceptre, into the hands of the informer. These are probably the last words I shall ever speak to you; but these last are directed to your salvation, and that of your posterity, when they tell you that the reign of the informer is the suppression of the law. My old friends, I tell you, that, if you surrender yourselves to the mean and disgraceful instrumentality of your own condemnation, you will mark yourselves fit objects of martial law—you will give an attestation to the British minister that you are fit for, and have no expectation of any other than, martial law—and your liberties will be flown, never, never to return! Your country will be desolated, or only become the gaol of the living; until the informer, fatigued with slaughter, and gorged with blood, shall slumber over the sceptre of perjury. No pen shall be found to undertake the disgusting office of your historian; and some future age shall ask—what became of Ireland? Do you not see that the legal carnage which takes place day after day has already depraved the feelings of your wretched population, which seems impatient and clamorous for the amusement of an execution. It remains with you—in your determination it lies—whether that population shall be alone composed of four species of men—the informer to accuse, the jury to find guilty, the judge to condemn, and the prisoner to suffer. It regardeth not me what impressions your verdict shall make on the fate of this country; but you it much regardeth. The observations I have offered, the warning I have held forth, I bequeath you with all the solemnity of a dying bequest; and oh! may the acquittal of your accused fellow-citizen, who takes refuge in your verdict from the vampire who seeks to suck his blood, be a blessed and happy promise of speedy peace, confidence, and security, to this wretched, distracted, and self-devouring country!"*

The preceding trials were immediately followed by an act of attainder against three of the conspirators who had previously perished, and whose property and consideration pointed them out as ob-

* Mr. Bond was convicted, and sentenced to die; but, in consequence of a negociation entered into between the government and the state prisoners, of which one of the articles proposed by the latter was that his life should be spared, he was respited. He was shortly after carried off by an attack of apoplexy.

jects of this measure of posthumous severity. One of these was Lord Edward Fitzgerald,* a young nobleman, whose high connexions and personal qualities excited the most lively sympathy for his unfortunate end. He was one of the leaders, against whom Reynolds had given information; and for some weeks had contrived, by disguising and secreting himself, to elude the pursuit of the officers of justice. At length he was traced to an obscure house in the metropolis, and apprehended. He made a desperate resistance, and shortly after died in prison, from the wounds which he had received in the struggle. His widow and infant children petitioned against the bill of attainder, upon which occasion Mr. Curran was heard as their counsel at the bar of the House of Commons.†

His speech upon this question is imperfectly reported; but even had it been more correctly given, the leading topics would be found of too abstract a nature to attract the general reader. It still contains, like almost all his arguments upon the most technical subjects, passages of feeling and interest. At this period he could never refrain, no matter what the occasion might be, from giving expression to the mingled sentiment of melancholy and indignation with which the scenes that were passing before him had filled his mind.

"Upon the previous and important question, namely, the guilt of Lord Edward, (without the full proof of which no punishment can be just), I have been asked by the committee if I have any defence to go into. I was confounded by the question, which I could not answer; but, upon a very little reflection, I see, in that very confusion, the most conclusive proof of the injustice of the bill: for, what can be more flagrantly unjust than to inquire into a fact of the truth or falsehood of which no human being can have knowledge, save the informer who comes forward to assert it? Sir, I now answer the question—I have no defensive evidence: it is impossible that I should. I have often of late gone to the dungeon of the captive; but never have I gone to the grave of the dead to receive instructions for his defence—nor, in truth, have I ever before been

* The other two were Messrs. Cornelius Grogan, and Beauchamp Bagenal Harvey.

† August, 1798.

at the trial of a dead man: I therefore offer no evidence upon this inquiry, against the perilous example of which I do protest on behalf of the public, and against the cruelty and injustice of which I do protest in the name of the dead father, whose memory is sought to be dishonoured, and of his infant orphans, whose bread is sought to be taken away."

The allusion in the following passage to the amiable character of Lord Edward Fitzgerald, will lose much of its force to those who have heard nothing of that unfortunate nobleman, except his fate. His private excellencies were so conspicuous, that the officer of the crown, who moved for leave to bring in the bill of attainder, could not refrain from bearing ample testimony to them: "his political offences he could not mention without grief; and were it consistent with the principles of public justice, he would wish that the recording angel should let fall a tear, and wash them out for ever."

"One topic more," said Mr. Curran, "you will permit me to add. Every act of this sort ought to have a practical morality flowing from its principle. If loyalty and justice require that these infants should be deprived of bread, must it not be a violation of that principle to give them food or shelter? Must not every loyal and just man wish to see them (in the words of the famous Golden Bull) always poor and necessitous, and for ever accompanied by the infamy of their father; languishing in continued indigence, and finding their punishment in living, and their relief in dying: and if the widowed mother should carry the orphan heir of her unfortunate husband to the gate of any man who might feel himself touched by the sad vicissitudes of human affairs; who might feel a compassionate reverence for the noble blood that flowed in his veins, nobler than the royalty that first ennobled it; that, like a rich stream, rose till it ran and hid its fountain; if remembering the many noble qualities of his unfortunate father, his heart melted over the calamities of the child; if his bosom swelled, if his eyes overflowed, if his too precipitate hand was stretched out by his pity or his gratitude to the poor excommunicated sufferers, how could he justify the rebel tear, or the traitorous humanity?"

Mr. Curran's conduct upon these memorable causes exposed his character at the time to the foulest misrepresentation. The furi-

ous and the timid considered it an act of loyalty to brand as little better than a traitor the advocate, who in defending the accused, ventured to demand those legal privileges, and that fair, impartial hearing, to which, by the constitution of their country, they were entitled. He often received, as he entered the court, anonymous letters threatening his life, if he should utter a syllable that might bring discredit upon the public measures of the day. Even in the house of commons he had, in the preceding year, to meet the charge of having forfeited the character of a "good subject" by his efforts for his clients. "I am heavily censured," said he, "for having acted for them in the late prosecutions. I feel no shame at such a charge except that of its being made at such a time as this; that to defend the people should be held out as an imputation upon the king's counsel, when the people are prosecuted by the state. I think every counsel is the property of his fellow subjects. If, indeed, because I wore his majesty's gown I had declined my duty, or had done it weakly or treacherously; if I had made that gown a mantle of hypocrisy, and had betrayed my client, or sacrificed him to any personal view, I might, perhaps, have been thought wiser by those who have blamed me, but I should have thought myself the basest villain upon earth." And in a letter to Mr. Grattan some years after, alluding to the same subject, he says, "but what were those attacks? Slanders provoked by a conduct of which my friends, as well as myself, had reason to be proud—slanders cast upon me by the very men whose want of wisdom or humanity threw upon me the necessity of pursuing that conduct which provoked their vengeance, and their misrepresentations. Thank God! I did adopt and pursue it, under the pressure of uninterrupted attacks upon my character and fortune, and frequently at the hazard of my life. I trust that while I have memory, that conduct will remain indelibly engraven upon it, because it will be there a record of the most valuable of all claims—a claim upon the gratitude of my own conscience."

In resisting such attacks, or in braving any more aggravated measures of political hatred, Mr. Curran might have stood alone, and have looked with calmness to the result; but gratefully to his own feelings, and honourably for others, he was not thus abandon-

ed to his own protection. It was now that he was enabled to appreciate the full value of some of the intimacies of his youth, by finding in his own case how tenderly the claims of the ancient friend and companion were respected in a season of general alarm, distrust, and unnatural separation. Had it not been for the interference of Lord Kilwarden, his character and repose would have been more frequently invaded; but that virtuous person, whose mind was too pure to be sullied by party rancour, discountenanced every proposal to persecute his friend; and never failed to check, as far as his authority could do so, any acts of malignity which might have been adopted without his knowledge.*

* As an example of the spirit of petty persecution to which he was exposed from persons in subordinate authority, it may be mentioned, that in the year 1798, when the military were billeted throughout the country, a party of seventeen soldiers, accompanied by their wives, or their profligate companions, and by many children, and evidently selected for the purpose of annoyance, were, without any previous notice, quartered on Mr. Curran's house; but the moment that Lord Kilwarden heard of the circumstance, the nuisance was removed.

There is another instance of similar interposition to which Mr. Curran alludes in his speech on behalf of Hevey, and of which the particulars are too honourable to Lord Kilwarden to be omitted. Mr. Curran, in that case, mentioned, that "a learned and respected brother barrister had a silver cup, and that Major Sandys (the keeper of the provost prison) having heard that it had for many years borne the inscription of 'Erin go brach,' or 'Ireland for ever,' considered this perseverance in guilt for such a length of years as a forfeiture of the delinquent vessel; and that his poor friend was accordingly robbed of his cup." The gentleman in question was Mr. M'Nally. The manner of the robbery is characteristic of the times: a serjeant waited upon him, and delivered a verbal command from Major Sandys to surrender the cup; Mr. M'Nally refused, and commissioned the messenger to carry back such an answer as so daring a requisition suggested. The serjeant, a decent, humane Englishman, and who felt an honest awkwardness at being employed on such a service, complied; but respectfully remonstrated upon the imprudence of provoking Major Sandys. The consequences soon appeared: the serjeant returned with a body of soldiers, who paraded before Mr. M'Nally's door, and were under orders to proceed to extremities if the cup was not delivered up. Upon Mr. M'Nally's acquainting Lord Kilwarden with the outrage, the latter burst into tears, and exclaiming, that "his own sideboard might be the next object of plunder, if such atrocious practices were not checked," lost not an instant in procuring a restitution of the property. The cup was accordingly sent back with the inscription erased. "And here," continued Mr. Curran, observing upon this transaction, "let me say, in my own defence, that this is the only occasion upon which I have ever mentioned it with the least appearance of lightness. I have often told the story in a way that it would not become me to tell it here: I have told it in the spirit of those feelings that were excited at seeing that one man could be sober and humane, at a moment when so many thousands were drunk and barbarous; and probably my statement was not stinted, by the recollection that I held that person in peculiar re-

It would be defrauding Lord Kilwarden of his greatest praise, to attribute this generous interposition to considerations of mere private friendship: it was only a part of that system of rare and manly toleration which adorned his whole public career. It is often the fate of the most splendid characters, who mingle in political contentions, to be misunderstood and traduced, until the turbulence of the scene is past, or until the appeasing influence of the grave extorts an admission of their virtues. With Lord Kilwarden it was otherwise: so conspicuous were (if not his talents) his integrity and humanity, more admirable than the most exalted talents, that Ireland, in her most passionate moments, thought and spoke of him while he lived as she now does of his memory. His conduct in the situation of attorney-general would alone have entitled him to the lasting gratitude of his country. This trying and so frequently unpopular office he filled during the most agitated period of her history. From the year 1790 to 1798 it devolved upon him to conduct the state prosecutions, a task so difficult to perform without reproach; and, to his honour it is recorded, that he did not escape reproach—the reproach of an extreme respect for human life. He delighted in mercy; and though, "like the noble tree, that is wounded itself, while it yields the balm," the indulgence of his nature exposed him to censure, he was still inflexibly merciful, screening the deluded, mitigating, where it could be done, the punishment of the convicted, abstaining, in the most aggravated cases, from embittering the agonies of the criminal by official invective, or by more inhuman levity. Such were the arts by which this excellent man collected around him the applauses of the good, and earned for his memory that epithet which is never separated from an allusion to his fate—"*the lamented* Lord Kilwarden."

As soon as the first interval of professional occupation permitted him, Mr. Curran seized the opportunity of passing over to England,

spect and regard. But little does it signify whether acts of moderation and humanity are blazoned by gratitude, by flattery, or by friendship: they are recorded in the heart from which they sprung; and, in the hour of adverse vicissitude, if it should ever come, sweet is the odour of their memory, and precious the balm of their consolation."

and of seeking in a more tranquil scene, and in the consolations of private friendship, a temporary relief from the anguish with which he had witnessed the spectacle of turbulence and suffering at home. Upon the present occasion, his feelings of personal respect, and his certainty of finding a generous sympathy for the calamities of their common country, directed his steps to the residence of the Earl of Moira, a nobleman for whose public and private virtues he had long entertained the most ardent veneration: and it would here be depriving Mr. Curran's memory of one of the titles of honour, upon which he always set the highest value, if it were not added, that, from his first acquaintance with his lordship, and with his accomplished mother, he continued ever after to enjoy their most perfect confidence and esteem. During this visit to them, he addressed to the latter the following little poem, in which the prevailing sentiment will be found to be the despondency that oppressed his own mind at the unfortunate period.

Lines addressed to Lady Charlotte Rawdon, and written on a blank leaf of Carolan's Irish airs. Donnington Park, October, 1798.

And she said unto her people, Lo! he is a wanderer and in sadness; go, therefore, and give him food, that he be not hungry, and wine, that he be comforted. And they gave him food and wine, and his heart was glad: and, when he was departing, he said unto her, I will give thee a book—it containeth the songs of the bards of Erin, of the bards of the days that are gone! and these bards were prophets, and the griefs of the times to come were known unto them, and their hearts were sore troubled; and their songs, yea, even their songs of joy were full of heaviness! This book will I give unto thee; and it shall be a memorial of the favour thou showedst unto me. And I will pray a prayer for thee, and it shall be heard—that thy days may be happy; and that, if sorrow should come unto thee, it may only be for a season, and that thou mayest find comfort even as I have done, so that thou mayest say, even as I have said, I did not take heed unto my words, when I said I was as one without hope. Surely I am not a wanderer, neither am I in the land of strangers!

By the waters of Babylon we sat down and wept, when we remember thee, O Sion!

Carolan, thy happy love
No jealous doubt, no pang can prove.
Thy generous lord is kind as brave;
He loves the bard, and scorns the slave:

And Charlotte deigns to hear thy lays,
And pays thee not with thoughtless praise.
With flowery wreaths the cup is crown'd;
The frolic laugh, the dance goes round
"The hall of shells:" the merry throng
Demand thy mirth, demand thy song.
Here echoes wait to catch the strain,
And sweetly give it back again.
Then, happy bard! awake thy fire—
Awake the heart-string of thy lyre—
Invoke thy Muse. Thy Muse appears;
But robed in sorrow, bathed in tears.
No blithesome tale, alas! she tells—
No glories of the "hall of shells"—
No joy she whispers to thy lays—
No note of love, no note of praise;—
But to thy boding fancy shows
The forms of Erin's future woes,
The wayward fates, that crown the slave,
That mar the wise, that crush the brave,
The tyrant's frown, the patriot's doom,
The mother's tears, the warrior's tomb.
In vain would mirth inspire thy song:
Grief heaves thy breast, and claims thy tongue:
Thy strain from joy to sadness turns:
The bard would smile—the prophet mourns.*

Mr. Curran had scarcely returned to Ireland to resume his public duties, when it was his fate to be engaged, while performing them, in another scene, which bore a striking resemblance to the melancholy catastrophe in Jackson's case. The circumstances alluded to were those which followed the trial and conviction of Theobald Wolfe Tone.

Mr. Tone was one of the most active promoters of the designs of the United Irishmen; and, according to the concurring testimony of all his cotemporaries, was the ablest man who had given his support to that cause. He was originally a member of the Irish bar, where his talents could not have failed to have raised him to

* These verses were written in answer to a question from Lady Rawdon, upon the cause of the mixture of liveliness and melancholy which distinguishes the compositions of Carolan.

distinction; but the principles of the French revolution, and the hope of successfully applying them to change the condition of his own country, soon diverted his ardent mind from legal pursuits, and involved him in that political career which subsequently occupied his life. In this new field he, at a very early period, became conspicuous for his zeal in supporting the claims of the Roman catholics, who appointed him a secretary to their committee, and voted him a sum of money as the reward of his exertions. He was also one of the original projectors of the plan of combining the popular strength and sentiment, which was afterwards matured into the Irish Union. That association existed some years before its object was to effect a revolution; but it has already been shown, that, as early as 1791, Mr. Tone recommended precisely the same views which the future leaders vainly attempted to accomplish. In 1794, when Jackson arrived in Ireland upon his secret mission from the French government, he soon discovered that Mr. Tone was one of the persons the most likely to approve and assist his designs. He accordingly communicated them to him, and was not disappointed in his expectation. Mr. Tone so cordially embraced the proposal of an invasion of Ireland by the French, that, had not the urgency of his private affairs prevented, he would have passed over to France, in order to confer in person with the French authorities upon the subject. Some of the discussions upon this topic took place in the prison of Newgate, in the presence of Cockayne and Mr. Hamilton Rowan, the latter of whom was at that time under sentence of confinement for the publication of a libel. Jackson being shortly after arrested upon the information of Cockayne, Mr. Rowan, who was aware that the evidence of that witness would equally involve himself, effected his escape, and fled to France. Mr. Tone remained. Whatever his more private communications might have been with Jackson, upon whose fidelity he relied, he conceived that the amount of Cockayne's testimony could convict him of no higher an offence than misprision of treason. Considerable exertions were also used by his private friends to dissuade the government from a prosecution; and, in consequence, he was not arrested. The evidence upon Jackson's trial, however, having publicly shown that some degree of treasonable connexion had

subsisted between him and Mr. Tone, the latter was advised, if he consulted his safety, to withdraw from Ireland. He accordingly, in the summer of 1795, transported himself and his family to America.* Here he did not remain many months. He tendered his services to the French Directory, and having met with all the encouragement he could desire, he procured a passage to France, where he arrived in the beginning of the year 1796. He was most favourably received, and appointed to a commission in the French army. His efforts to persuade the Directory to send an armament to Ireland have been previously mentioned. The first expedition having failed, a second attempt was made in the autumn of 1798. This was equally unsuccessful; and Mr. Tone, who was on board the *Hoche* French line of battle ship, one of the vessels captured by Sir J. B. Warren's squadron off the Irish coast, fell into the hands of the English government, and was brought to trial by court-martial in Dublin, on the 10th of November, 1798.

Mr. Tone appeared in court in the dress of a French officer. When called on for his defence, he admitted the facts of which he was accused;† but pleaded (of course ineffectually) his French commission. He then proceeded to read a paper which he had drawn up in justification of his conduct, from the conclusion of which it was evident that he had entertained no hope that any defence could avail him. "I have little more to say. Success is all in this life; and, unfavoured of her, virtue becomes vicious in the ephemeral estimation of those who attach every merit to prosperity. In the glorious race of patriotism, I have pursued the path chalked out by Washington in America, and Kosciusko in Poland. Like the latter, I have failed to emancipate my country; and, unlike them both, I have forfeited my life. I have done my duty, and I have no doubt the court will do theirs. I have only to add, that a man, who has thought and acted as I have done, should be armed

* The vessel, in which he was a passenger, no sooner arrived in sight of an American port, than she was boarded by a boat from a British man of war. Mr. Tone was (among others) impressed to serve as a sailor in his majesty's navy: but, after considerable difficulties, his own remonstrances, and the solicitations of Mrs. Tone, obtained his release.

† When asked what he would plead, he exclaimed, "Guilty; for I have never, during my life, stooped to a prevarication."

against the fear of death. I conceive," continued he, "that I stand here in the same light with our *emigres;* and, if the indulgence lay within the power of the court, I would only request what French magnanimity allowed to Charette and to the Count de Sombreuil—the death of a soldier, and to be shot by a file of grenadiers. This is the only favour I have to ask; and I trust, that men, susceptible of the nice feelings of a soldier's honour, will not refuse the request. It is not from any personal feeling that I make this request, but from a respect to the uniform which I wear, and to the brave army in which I have fought."

This final request was not granted. It was directed by the government that he should be executed in the ordinary form, and in the most public manner; but this the prisoner took the resolution of preventing, by an act, which, in his case, shows the uncertain security of any speculative determinations respecting suicide, against the pressure of the actual calamity, or of the many other motives which impel a man to raise his hand against himself.

Upon the evening before the Hoche sailed from Brest, the subject of suicide was fully discussed among the Irish, who formed a part of the expedition. They felt confident of success, should the French troops debark in safety upon the coast of Ireland; but they were equally certain, that, if captured at sea, they would all be condemned, and executed. Upon this a question arose, whether in the latter event, they should suffer themselves to be put to death according to the sentence and forms of law. Mr. Tone maintained that they ought; and, with his usual eloquence and animation, delivered his decided opinion, that, in no point of view in which he had ever considered suicide, could he hold it to be justifiable. It is supposed, that, in his own particular instance, he did not at this time anticipate an ignominious mode of death; but that he expected, in case of capture and condemnation, to be allowed the military privilege which he afterwards so earnestly claimed.* Disappointed in

* The gentleman who has communicated the above circumstances was present at the conversation. Independent of the moral arguments adduced against suicide, it was suggested by one of the company, that from political considerations, it would be better not to relieve, by any act of self-murder, the Irish government from the discredit in which numerous executions would involve it — an idea which, he says, Mr. Tone warmly approved. He adds, that when it appeared that the Hoche was likely to be captured, a boat was

this hope, he now committed the act which he had so lately reprobated. He was induced to do so either by a natural impulse of personal pride, of which he had not previously contemplated the powerful influence, or (as is conjectured by those who best knew him) out of consideration for the army of which he was a member, and for whose honour, in his estimation, no sacrifice could be too great.

Mr. Tone's execution was fixed for Monday, the 12th of November. At an early hour upon that morning the sentinel who watched in his room having approached to awaken him, found him with his throat cut across, and apparently expiring. A surgeon was immediately called, who, on examining the wound, pronounced it not mortal, though extremely dangerous; to which Mr. Tone faintly answered, "I find, then, I am but a bad anatomist." The wound was dressed, with the design of prolonging life till the hour of one o'clock, the time appointed for his execution. In the interval a motion was made in the court of King's Bench by Mr. Curran, on an affidavit of Mr. Tone's father, stating that his son had been brought before a bench of officers, calling itself a court-martial, and by them sentenced to death. "I do not pretend to say," observed Mr. Curran, "that Mr. Tone is not guilty of the charges of which he was accused; I presume the officers were honourable men; but it is stated in the affidavit, as a solemn fact, that Mr. Tone had no commission under his majesty, and therefore no court-martial could have cognizance of any crime imputed to him, while the court of King's Bench sat in the capacity of the great criminal court of the land. In times when war was raging, when man was opposed to man in the field, courts martial might be endured; but every law authority is with me while I stand upon this sacred and immutable principle of the constitution—*that martial law and civil law are incompatible;* and that the former must cease with the existence of the latter. This is not the time for arguing this momentous question. My client must appear in this court. *He is cast for death this day.* He may be ordered for execution while I address you. I call on the court to support the law. I move for a habeas corpus

despatched to her from the *Biche* (a small, fast sailing vessel, which afterwards escaped into Brest) in order to bring off all the Irish on board; but that Mr. Tone could not be persuaded to avail himself of the opportunity.

to be directed to the prevost-marshal of the barracks of Dublin, and Major Sands to bring up the body of Mr. Tone."

Chief Justice.—"Have a writ instantly prepared."

Mr. Curran.—"My client may die while this writ is preparing."

Chief Justice.—"Mr. Sheriff, proceed to the barracks, and acquaint the prevost-marshal that a writ is preparing to suspend Mr. Tone's execution; and *see that he be not executed.*"

The court awaited, in a state of the utmost agitation, the return of the sheriff.

Mr. Sheriff.—"My lords, I have been at the barracks, in pursuance of your order. The prevost-marshal says he must obey Major Sands. Major Sands says he must obey Lord Cornwallis."

Mr. Curran.—"Mr. Tone's father, my lords, returns, after serving the habeas corpus: he says General Craig will not obey it."

Chief Justice.—"Mr. Sheriff, take the body of Tone into your custody. Take the prevost-marshal and Major Sands into custody: and show the order of this court to General Craig."

Mr. Sheriff, who was understood to have been refused admittance at the barracks, returns.—"I have been at the barracks. Mr. Tone, having cut his throat last night, is not in a condition to be removed. As to the second part of your order, I could not meet the parties."

A French emigrant surgeon, whom General Craig had sent along with the sheriff, was sworn.

Surgeon.—"I was sent to attend Mr. Tone this morning at four o'clock. His windpipe was divided. I took instant measures to secure his life, by closing the wound. There is no knowing, for four days, whether it will be mortal. His head is now kept in one position. *A sentinel is over him, to prevent his speaking.* His removal would kill him."

Mr. Curran applied for further surgical aid, and for the admission of Mr. Tone's friends to him. Refused.

Chief Justice.—"Let a rule be made for suspending the execution of Theobald Wolfe Tone; and let it be served on the proper person."

The prisoner lingered until the 19th day of November, when he expired, after having endured the most excruciating pain;* and

* Mr. Tone had reached only his thirty-fourth year. His father was an eminent coach-maker in Dublin; he had sixteen children (thirteen sons

with his fate shall close the account of the part which Mr. Curran bore in the public transactions of this calamitous year.

and three daughters) of whom only five attained the age of maturity, and whose fates afford a singular instance of the wanderings and calamities of a single family. Theobald died as before related. Matthew was executed the same year, in Dublin barracks, for high treason: it is said that no more than five persons were present at the execution. William was killed in India, a major in Holkar's service. Arthur accompanied his brother Theobald to America; and was subsequently, at the early age of eighteen, appointed to the command of a frigate in the service of the Dutch republic: he is supposed to have perished at sea, as no account was ever after received of him. Mary was married to a foreign merchant, and died at St. Domingo. Their aged mother survives and now resides in Dublin.

After the death of Mr. Wolfe Tone, his widow and infant children were protected by the French republic; and, on the motion of Lucien Bonaparte, a pension granted for their support.

CHAPTER XIII.

Effects of the legislative union upon Mr. Curran's mind—Speech in Tandy's case—Speech in behalf of Hevey—Allusion in the latter to Mr. Godwin—Mutual friendship of Mr. Curran and Mr. Godwin.

Mr. Curran's history, during the eight remaining years of his forensic life, consists almost entirely of the causes of interest in which he was engaged. He was no longer in parliament when the question of the Union was agitated and carried. This measure, which he had always deprecated as ruinous and disgraceful to his country, completed those feelings of political despondency to which the scenes of the rebellion, and the uniform failure of every struggle to avert them, had been habituating his mind. With the Union, which he considered as "the extinction of the Irish name," all his long cherished hopes for Ireland vanished for ever. From this last shock to his affections and his pride he never recovered. It was ever after present to his imagination, casting a gloom over all his political speculations, and interfering with the repose of his private hours. This sensibility to what so many others bore with complacency as a mere national disaster, will, perhaps, be ridiculed as affected, or doubted as incredible; but those who best knew him can attest the sincerity and the extent of his affliction. It was so deep, that he began seriously to meditate a final departure from Ireland.* At one time he looked towards America, at another to the English bar; but the better influence of duties and old attachments prevailed over these suggestions of melancholy, and he remained to conclude his fortunes on the scene where they had commenced.

* "That country (as he observes in one of his latest speeches at the bar) of which I have so often abandoned all hope, and which I have been so often determined to quit for ever—

Sæpe vale dicto, multa sum deinde locutus,
Et quasi discedens oscula summa dabam;
Indulgens animo, pes tardus erat."

Speech in Judge Johnson's Case.

CASE OF JAMES NAPPER TANDY.

One of Mr. Curran's speeches, which has been omitted in all the editions of the published collection, was that in behalf of Mr. James Napper Tandy. Mr. Tandy had been a conspicuous member of the early societies of United Irishmen. In 1795 he was indicted for high treason, and fled to the continent, where he became an officer in the French service. He was one of the persons excluded from the benefit of the bill of general amnesty, which was passed after the suppression of the rebellion of 1798. The other particulars of his case may be sufficiently collected from Mr. Curran's statement. The trial took place in the King's Bench, before Lord Kilwarden and the other judges of that court, on the 19th of May, 1800.

Mr. Curran (for the prisoner). "My lords, and you, gentlemen of the jury, I am in this case of counsel for Mr. Tandy, the prisoner at the bar. I could have wished it had been the pleasure of the gentlemen who conduct this business on the part of the crown, to have gone on first: the subject itself is of a very novel nature in this country; but certainly it is the right of the crown, and which the gentlemen have thought proper to follow, to call on the counsel for the prisoner to begin; and therefore it is my duty, my lords, to submit to you, and to explain, under the direction of the court, to you, gentlemen of the jury, what the nature of the question is that you are sworn to try.

"An act of parliament was passed in this country, which began to be a law on the 6th of October, 1798; on that day it received the royal assent. By that law it is stated, that the prisoner at the bar had been guilty of acts of treason of many different kinds: and it enacted, that he should stand attainted of high treason, except he should, on or before the first day of December following, surrender himself to one of the judges of this court, or to one of his majesty's justices of the peace, for the purpose of becoming amenable to that law, from which he was supposed to have fled, in order to abide his trial for any crime that might be alleged against him.

"It was a law not passed for the purpose of absolutely pronouncing any judgment whatsoever against him, but for the purpose of compelling him to come in and take his trial: and nothing can show more strongly that that act of parliament has not established any thing touching the fact of the prisoner's guilt; because it would be absurd, in one and the same breath, to pronounce that he was guilty of high treason, and then call upon him to come in and abide his trial: and the title of the act speaks that it is an act not pronouncing sentence against the prisoner, but that it is an act in order to compel him to come forward.

"This act creates a parliamentary attainder, not founded on the establishment of the prisoner's guilt of treason, but on his contumacious avoidance of trial, by standing out against a trial by law. I make this observation to you, gentlemen of the jury, in order that you may, in the first instance, discharge from your minds any actual belief of any criminality in the prisoner at the bar, and that for two reasons; first, because a well-founded conviction of his guilt, on the authority of this statute, might have some impression on the minds of men sitting in judgment on the prisoner; but for a more material reason I wish to put it from your minds, because his guilt or innocence has nothing to do with the issue you are sworn to try.

"Gentlemen, the issue you are called to try is not the guilt or the innocence of the prisoner; it is therefore necessary you should understand exactly what it is. The prisoner was called on to show cause why he should not suffer death, pursuant to the enacting clause of the statute; and he has put in a plea, in which he states, that before the time for surrender had expired, namely, on the 24th of November, 1798, seven days before the day that he had for surrendering had expired, he was, by the order of his majesty, arrested, and made a prisoner in the town of Hamburgh; and that in consequence of such arrest, it became impossible for him to surrender himself and become amenable to justice within the time prescribed: and the counsel for the crown have rested the case on the denial, in point of fact, of this allegation; and, therefore, the question that you are to try is simplified to this—'I was arrested,' says the prisoner, 'whereby it became impossible for me to sur-

render'—to which the counsel for the crown reply, 'You have not been arrested at the time alleged by you, whereby it became impossible for you to surrender. This I conceive to be the issue, in point of fact, joined between the parties, and on which it is my duty to explain the evidence that will be offered.

"Mr. Tandy is a subject of this country, and had never been in it from the time this act of parliament passed, until he was brought into it after his arrest on the 24th of November, 1798: on that day he was in the town of Hamburgh. He had seven days, in which time it was practicable for him to arrive in this country, and surrender himself, according to the requisitions of the act of attainder. Every thing that could be of value to man was at stake, and called on him to make that surrender. If he did not surrender, his life was forfeited—if he did not surrender, his fortune was confiscated—if he did not surrender, the blood of his family was corrupted; and he could leave them no inheritance, but the disgrace of having suffered as a traitor.

"Your common sense, gentlemen, will show you, that where a man is to forfeit his life unless he complies with the conditions of an act of parliament—your common sense, your common humanity must show you, that a man ought to be suffered to perform the conditions on which his life depends. It can require no argument to impress upon your mind, that to call on a man to surrender himself on pain of death, and by force to prevent him from surrendering, goes to an atrocity of oppression that no human mind can contemplate without horror.

"But it seems that the prisoner at the bar was a man of too much consequence to the repose of all civilized nations; to the great moral system, I might almost say, to the great physical system of the universe, to be permitted to act in compliance with the statute that called upon him to surrender himself upon pain of death. The wisdom of the entire continent was called upon to exercise its mediation on this most momentous circumstance—the diplomatic wisdom of Germany was all put into action on the subject—the enlightened humanity of the north was called on to lend its aid. Gentlemen, you know as well as I the princely virtues, and the imperial qualifications, the consummate wisdom and sagacity of our stedfast

friend and ally, the emperor of all the Russias; you must feel the awe with which he ought to be mentioned: his sacred person has become embodied in the criminal law of England, and it has become almost a misprision to deem of him or speak of him but with reverence. I feel that reverence for him; and I deem of him and conceive him to be a constellation of all virtue—compared with whose radiance the Ursamajor twinkles only as the glow-worm. And, gentlemen, what was the result of the exercise of this combination of wisdom? That James Napper Tandy ought not to be got rid of in the ordinary way. They felt an honest and a proper indignation, that a little community like Hamburgh should embezzle that carcase which was the property of a mild and merciful government: they felt a proper indignation that the senate of Hamburgh, under the present sublime system, should defraud the mercy of the government of the blood of the prisoner, or cheat the gibbet of his bones, or deprive the good and loyal ravens of this country of his flesh—and accordingly by an order issued to these miserable inhabitants of the town of Hamburgh, who were made to feel that common honesty and common humanity can only be sustained by a strength not to be resisted; they were obliged to break the ties of justice and hospitality—to trample on the privileges that every stranger claims; they were obliged to suffer the prisoner to be trampled on, and meanly, and cruelly, and pitiably to give up this unfortunate man to the disposal of those who could demand him at such a price.

"If a surrender, in fact, had been necessary on the part of the prisoner, certainly a very material object was achieved by arresting him: because they thereby made it impossible for him to avail himself of the opportunity. They made it impossible for him to avail himself of the surrender, if the reflection of his mind led him to it. If a sense of the duty he owed his family led him to a wish, or to an intention, of availing himself of the remaining time he had to surrender, they were determined he should not take advantage of it. He had been guilty of what the law deems a crime, that is, of flying from justice, though it does not go to the extent of working a corruption of blood: but by this act of power—by this act of tyrannic force, he was prevented from doing that which every court

of justice must intend he was willing to do: which the law intends he would have done—which the law gave him time to do—which the law supposes he might have done the last hour, as well as the first. He was on his passage to this country; that would not have taken up a third part of the time that had now elapsed—but by seizing on him in the manner he was arrested, it became impossible for him to surrender himself, or become amenable to justice. But, gentlemen, the prisoner, when he was arrested, was treated in a manner that made it impossible for him to do any act that might have been considered as tantamount to a surrender. He was confined in a dungeon, little larger than a grave—he was loaded with irons—he was chained by an iron that communicated from his arm to his leg; and that so short, as to grind into his flesh. In such a state of restriction did he remain for fifteen days; in such a situation did he lie in a common vault; food was cut into shapeless lumps, and flung to him by his filthy attendants as he lay on the ground, as if he had been a beast: he had no bed to lie on; not even straw to coil himself up in, if he could have slept. In that situation he remained in a foreign country for fifteen days of his long imprisonment; and he is now called to show good cause why he should not suffer death, because he did not surrender himself and become amenable to the law. He was debarred all communication whatsoever: if he attempted to speak to the sentinels that guarded him, they could not understand him: he did make such kind of indications of his misery and his sufferings as could be conveyed by signs, but he made them in vain; and he is now called on to show good cause wherefore he did contumaciously and traitorously refuse to surrender himself, and become amenable to the law.

"Gentlemen of the jury, I am stating facts that happened in a foreign country; will you expect that I should produce witnesses to lay those abominable offences before you in evidence? It was not in the power of the prisoner at the bar to procure witnesses; he was not of importance enough to call on the armed civilization of Europe, or on the armed barbarity of Europe, to compel the inhabitants of the town where he was imprisoned to attend at the bar of this court to give evidence for the preservation of his life; but

though such interposal could not be obtained to preserve his life, it could be procured for the purposes of blood. And this is one reason why the rights of neutral states should be respected; because, if an individual, claiming those privileges, be torn from that sanctuary, he comes without the benefit of the testimony of those that could save his life. It is a maxim of law, that no man shall lose any thing, much less his life, by the non-performance of a condition, if that non-performance had arisen by the act of God, or of the party who is to avail himself of the condition; that the impossibility so imposed shall be an excuse for the nonperformance of the condition: that is the defence the prisoner relies upon here. 'Why did you not surrender, and become amenable to justice? Because I was in chains.'—'Why did you not come over to Ireland? Because I was a prisoner in a grave in the town of Hamburgh.'—'Why did you not do something tantamount to a surrender? Because I was unpractised in the language of the strangers, who could not be my protectors, because they were also my fellow-sufferers.' But he may push this reasoning much farther; the statute was made for the express purpose of making him amenable. When the crown seized him at Hamburgh, it thereby made him amenable, and so satisfied the law. It could not seize him for execution as an attainted person, for the time had not arrived at which the attainder could attach. The king, therefore, seized him as a man liable to be tried, and yet he calls upon him to suffer death, because he did not make himself amenable by voluntary surrender; that is, because he did not do that which the king was pleased to do for him, by a seizure which made it at once unnecessary and impossible for him to do by any voluntary act. Such is the barbarity and folly that must ever arise, when force and power assume the functions of reason and justice. As to his intention after the arrest, it is clearly out of the question. The idea of intention is not applicable to an impossible act. To give existence to intention, the act must be possible, and the agent must be free. Gentlemen, this, and this only, is the subject on which you are to give a verdict. I do think it is highly honourable to the gentleman who has come over to this country, to give the prisoner at the bar the benefit of his evidence; no process could have compelled him: the inhabitants of foreign

countries are beyond the reach of process to bring witnesses to give evidence. But we have a witness, and that of the highest respectability, who was himself at Hamburgh at the time Mr. Tandy was arrested, in an official situation. We will call Sir James Crawford, who was then the king's representative in the town of Hamburgh. We will show you, by his evidence, the facts that I have stated; that before the time allowed to the prisoner to surrender had elapsed, Sir James Crawford did, in his official situation, and by orders from his own government, cause the person of Mr. Tandy to be arrested in Hamburgh. Far am I from suspecting, or insinuating against Sir James Crawford, that any of the cruelties that were practised on that abused and helpless community, or on my abused client, were committed at his instance or personal sanction; certain am I that no such fact could be possible.

"I told you before, gentlemen, that the principal question you had to try was, the fact on which the parties had joined issue; the force and arrest alleged by the prisoner; and the denial of that force by the counsel for the crown. There is one consideration, that I think necessary to give some attention to. What you may think of the probable guilt or innocence of the prisoner, is not within the question that you are to decide; but if you should have any opinion of that sort, the verdict given in favour of the prisoner can be no preclusion to public justice, if after your verdict they still call for his life; the utmost that can follow from a verdict in his favour will be, that he will be considered as a person who has surrendered to justice, and must abide his trial for any crime that may be charged against him. There are various ways of getting rid of him, if it is necessary to the repose of the world that he should die. I have said, if he has committed any crime, he is amenable to justice, and in the hands of the law: he may be proceeded against before a jury, or he may be proceeded against in another and more summary manner; it may so happen that you may not be called upon to dispose finally of his life or of his character. Whatever verdict a jury can pronounce upon him can be of no final avail. There was, indeed, a time when a jury was the shield of liberty and life: there was a time, when I never rose to address it without a certain sentiment of confidence and pride; but that time is past. I have no heart now to make any appeal to

your indignation, your justice, or your humanity. I sink under the consciousness that you are nothing. With us, the trial by jury has given place to shorter, and, no doubt, better modes of disposing of life. Even in the sister nation, a verdict can merely prevent the duty of the hang-man; but it never can purge the stain which the first malignity of accusation, however falsified by proof, stamps indelibly on the character of an 'acquitted felon.' To speak proudly of it to you would be a cruel mockery of your condition; but let me be at least a supplicant with you for its memory. Do not, I beseech you, by a vile instrumentality, cast any disgrace upon its memory. I know you are called out to day to fill up the ceremonial of a gaudy pageant, and that to-morrow you will be flung back again among the unused and useless lumber of the constitution: but, trust me, the good old trial by jury will come round again; trust me, gentlemen, in the revolution of the great wheel of human affairs, though it is now at the bottom, it will re-ascend to the station it has lost, and once more assume its former dignity and respect; trust me, that mankind will become tired of resisting the spirit of innovation, by subverting every ancient and established principle, and by trampling upon every right of individuals and of nations. Man, destined to the grave—nothing that appertains to him is exempt from the stroke of death—his life fleeth as a dream, his liberty passeth as a shadow. So, too, of his slavery—it is not immortal; the chain that grinds him is gnawed by rust, or it is rent by fury or by accident, and *the wretch is astonished at the intrusions of freedom, unannounced even by the harbinger of hope* * Let me therefore conjure you, by the memory of the past,

* There is a passage in Dante descriptive of the same state of amazement, produced by an unexpected escape from danger.

> E come quei che con lena affanata,
> Uscito del pelago alla riva,
> Si volge all' acqua perigliosa, e *guata*.
>
> (And, as a man with difficult short breath,
> Forespent with toiling, 'scaped from sea to shore,
> Turns to the perilous wide waste, and stands
> At gaze.)
>
> *Cary's Translation.*

A distinguished Italian writer, now in England, commenting upon this passage in a late number of a periodical work, observes, nearly in the words

and the hope of the future, to respect the fallen condition of the good old trial by jury, and cast no infamy upon it. If it is necessary to the repose of the world that the prisoner should die, there are many ways of killing him—we know there are; it is not necessary that you should be stained with his blood. The strange and still more unheard of proceedings against the prisoner at the bar, have made the business of this day a subject of more attention to all Europe than is generally excited by the fate or the suffering of any individual. Let me, therefore, advise you seriously to reflect upon your situation, before you give a verdict of meanness and of blood that must stamp the character of folly and barbarity upon this already disgraced and degraded country."*

The next of Mr. Curran's professional efforts which shall be noticed was that in behalf of Mr. John Hevey, who brought an action for false imprisonment against Charles Henry Sirr, town-major of Dublin.† This, though a private case, was intimately connected with the public events in which the preceding state trials originated. It also resembles them in the examples of suffering and depravity which it exhibits. It presents a picture of a race of beings, the greatest scourge of an agitated country—political middle-men, who, conscious that the restoration of tranquillity must throw them out of employment and plunder, feel an interest in aggravating the public disorders by every art of violence and persecution, which, under the pretext of proving their zeal, can prolong the necessity of their office. Of this office and its detestable abuses, a tolerable idea may be formed from a sketch of Mr. Curran's statement.

"It was at that sad crisis (1798) that the defendant, from an obscure individual, started into notice and consequence. It is the

of Mr. Curran, "The concluding verse places the man in that state of stupor which is felt upon passing at once to safety from despair, without the intervention of hope: he looks back upon perdition with a stare, unconscious how he had escaped it."

* The jury found a verdict for the prisoner. He was afterwards permitted to retire to the continent, where he ended his days.

† May, 1802.

hot-bed of public calamity that such inauspicious products are accellerated without being matured. From being a town major, a name scarcely legible in the list of public incumbrances, he became at once invested with all the real powers of the most absolute authority.

" With this gentleman's extraordinary elevation began the story of the sufferings and ruin of the plaintiff. A man was prosecuted by the state; Hevey, who was accidentally present at the trial, knowing the witness for the prosecution to be a person of infamous character, mentioned the circumstance in court. He was sworn, and on his evidence the prisoner was acquitted. In a day or two after Major Sirr met the plaintiff in the street, asked how he dared to interfere in *his* business? and swore, by God, he would teach him how to meddle with 'his people.' On the following evening poor Hevey was dogged in the dark into some lonely alley—there he was seized, he knew not by whom, nor by what authority—his crime he soon learned, it was the treason he had committed against the majesty of Major Sirr. He was immediately conducted to a new place of imprisonment in the castle yard, called the provost. Of this mansion of misery Major Sandys was the keeper, a gentleman of whom I know how dangerous it is to speak, and of whom every prudent person will think and talk with all due reverence. Here Hevey lay about seven weeks; he was at last discovered among the sweepings of the prison. 'Hevey' (said the major) 'I have seen you ride, I think, a smart sort of a mare—you can't use her here—you had better give me an order for her. Hevey, induced by hope and by fear, gave the order. The major accepted the order, saying, 'your courtesy will not cost you much—you are to be sent down to-morrow to Kilkenny, to be tried for your life—you will most certainly be hanged—and you can scarcely think that your journey to the other world will be performed on horseback.' Hevey was accordingly transmitted to Kilkenny, tried by a court-martial, and convicted upon the evidence of a person under sentence of death, who had been allured by a proclamation, offering a reward to any man who would come forward and give any evidence against the traitor Hevey. Lord Cornwallis read the transmiss of Hevey's condemnation—his heart recoiled from the

detail of stupidity and barbarity. He dashed his pen across the odious record, and ordered that Hevey should be forthwith liberated. On his return to Dublin the plaintiff met Major Sandys, and demanded his mare;—'Ungrateful villain,' (says the major) 'is this the gratitude you show to his majesty and to me, for our clemency to you—you shan't get possession of the beast.' Hevey brought an action for the mare; the major, not choosing to come into court and suggest the probable success of a thousand actions, restored the property.

"Three years," continued Mr. Curran, "had elapsed since the deliverance of my client—the public atmosphere had cleared—the private destiny of Hevey seemed to have brightened, but the malice of his enemies had not been appeased. On the 8th of last September, Mr. Hevey was sitting in a public coffee-house—Major Sirr was there—Mr. Hevey was informed that Major Sirr had at that moment said, that he (Hevey) ought to have been hanged. The plaintiff was fired at the charge; he fixed his eye on Sirr, and asked if he had dared to say so? Sirr declared that he had, and had said truly. Hevey answered, that he was a slanderous scoundrel. At the instant Sirr rushed upon him, and, assisted by three or four of his satellites, who had attended him in disguise, secured him and sent him to the castle guard, desiring that a receipt might be given for the villain. He was sent thither. The officer of the guard chanced to be an Englishman, but lately arrived in Ireland—he said to the bailiffs, 'if this was in England, I should think this gentleman intitled to bail, but I don't know the laws of this country—however I think you had better loosen those irons on his wrists, or they may kill him.'

"Major Sirr, the defendant, soon arrived, went into his office, and returned with an order which he had written, and by virtue of which Mr. Hevey was conveyed to the custody of his old friend and gaoler, Major Sandys. Here he was flung into a room of about thirteen feet by twelve; it was called the hospital of the provost; it was occupied by six beds, in which were to lie fourteen or fifteen miserable wretches, some of them sinking under contagious disorders. Here he passed the first night without bed or food. The next morning his humane keeper, the major, appeared. The

plaintiff demanded why he was so imprisoned, complained of hunger, and asked for the gaol allowance? Major Sandys replied with a torrent of abuse, which he concluded by saying—' your crime is your insolence to Major Sirr; however, he disdains to trample on you—you may appease him by proper and contrite submission; but unless you do so, you shall rot where you are. I tell you this, that if government will not protect us, by God, we will not protect them. You will probably (for I know your insolent and ungrateful hardiness) attempt to get out by an habeas corpus, but in that you will find yourself mistaken, as such a rascal deserves.' Hevey was insolent enough to issue an habeas corpus, and a return was made on it, ' that Hevey was in custody under a warrant from General Craig, on a charge of treason. That this return was a gross falsehood, fabricated by Sirr, I am instructed to assert. The judge, before whom this return was brought, felt that he had no authority to liberate the unhappy prisoner; and thus, by a most inhuman and malicious lie, my client was again remanded to the horrid mansion of pestilence and famine. Upon this Mr. Hevey, finding that nothing else remained, signed a submission dictated by Sandys, was enlarged from confinement, and brought the present action."

The foregoing is a very curtailed sketch of the particulars of this case; those who partake of the prevailing taste for strong emotions are referred to the entire report, where they will find in every line abundant sources of additional excitement.

Of the style in which the advocate commented upon these extraordinary facts, the following is among the most striking examples.

Adverting to the ignorance in which England was kept regarding the sufferings of Ireland, and to the benefit to be derived from sending her one authenticated example, Mr. Curran goes on—" I cannot also but observe to you, that the real state of one country is more forcibly impressed on the attention of another by a verdict on such a subject as this, than it could be by any general description. When you endeavour to convey an idea of a great number of barbarians practising a great variety of cruelties upon an incalculable multitude of sufferers, nothing defined or specific finds its way to the heart; nor is any sentiment excited, save that of a general, er-

ratic, unappropriated commiseration. If, for instance, you wished to convey to the mind of an English matron the horrors of that direful period, when, in defiance of the remonstrance of the ever to be lamented Abercromby, our poor people were surrendered to the licentious brutality of the soldiery, by the authority of the state—you would vainly endeavour to give her a general picture of lust, and rapine, and murder, and conflagration. By endeavouring to comprehend every thing, you would convey nothing. When the father of poetry wishes to pourtray the movements of contending armies and an embattled field, he exemplifies only, he does not describe—he does not venture to describe the perplexed and promiscuous conflicts of adverse hosts, but by the acts and fates of a few individuals he conveys a notion of the vicissitudes of the fight and the fortunes of the day. So should your story to her keep clear of generalities; instead of exhibiting the picture of an entire province, select a single object, and even in that single object do not release the imagination of your hearer from its task, by giving more than an outline. Take a cottage—place the affrighted mother of her orphan daughters at the door, the paleness of death in her face, and more than its agonies in her heart—her aching heart, her anxious ear struggling through the mist of closing day to catch the approaches of desolation and dishonour. The ruffian gang arrives—the feast of plunder begins—the cup of madness kindles in its circulation—the wandering glances of the ravisher become concentrated upon the shrinking and devoted victim: you need not dilate—you need not expatiate—the unpolluted mother, to whom you tell the story of horror, beseeches you not to proceed; she presses her child to her heart—she drowns it in her tears—her fancy catches more than an angel's tongue could describe; at a single view she takes in the whole miserable succession of force, of profanation, of despair, of death. So it is in the question before us. If any man shall hear of this day's transaction, he cannot be so foolish as to suppose that we have been confined to a single character like those now brought before you. No, gentlemen, far from it—he will have too much common sense not to know, that outrages like this are never solitary; that where the public calamity generates imps like

these, their number is as the sands of the sea, and their fury as insatiable as its waves."

The jury awarded Mr. Hevey 150*l.* damages: out of Ireland this verdict excited some surprise and indignation, feelings which sufficiently coroborate Mr. Curran's assertion, that the internal condition of his country was but little known in the sister kingdom. A story of such complicated sufferings and indignities would have found a far different reception from an English jury—but the plaintiff in this action was a person to whom, in Ireland, it would have been deemed disloyal to have granted a just remuneration. Hevey was suspected of disaffection in 1798, and the men, who were thus regardless of his appeal to their sympathy, were avenging the popular excesses of that year.

In the course of Mr. Curran's observations upon the persecution of his client in this case, he took an occasion of introducing a happy and well-merited compliment to a friend and a man of genius. "No country" (said he) "governed by any settled laws, or treated with common humanity, could furnish any occurrences of such unparalleled atrocity; and if the author of Caleb Williams, or of the simple Story, were to read the tale of this man's sufferings, it might, I think humble the vanity of their talents (if they are not too proud to be vain) when they saw how much more fruitful a source of incident could be found in the infernal workings of the heart of a malignant slave, than in the richest copiousness of the most fertile and creative imagination."

Among his English friends, the author of Caleb Williams was the one to whom Mr. Curran, during the last twenty years of his life, was the most attached, and in whose society he most delighted. However he may have dissented from some of Mr. Godwin's speculative opinions, he always considered him as a man of the most decidedly original genius of his time, and uniformly discountenanced the vulgar clamour with which it was the fashion to assail him. There are many who well remember his fervour and eloquence upon this topic, the tears which he so frequently excited by his glowing descriptions of the private excellencies of his friend, and of the manly, philosiphic equanimity by which he triumphed over every accident of fortune. Mr. Curran's affection and respect were

not unreturned—Mr. Godwin attended him in his last illness, watched over him till he expired, accompanied him to his grave, and has since his death omitted no occasion, in public or private, of honouring his memory.*

* His last work, Mandeville, is dedicated to the memory of Mr. Curran, "the sincerest friend he ever had," a tribute of generous and disinterested regard, of which the motives are above all suspicion.

CHAPTER XIV.

Mr. Curran visits Paris—Letter to his son—Insurrection of 1803—Defence of Kirwan—Death of Lord Kilwarden—Intimacy of Mr. Robert Emmet in Mr. Curran's family, and its consequences—Letter from Mr. Emmet to Mr. Curran—Letter from the same to Mr. Richard Curran.

This year (1802) Mr. Curran, taking advantage of the short peace, revisited France. His journey thither now was undertaken with views and anticipations very different from those which had formerly attracted his steps towards that country. He had this time little hope of any gratification; he went from an impulse of melancholy curiosity, to witness the extent of his own disappointments, and to ascertain in person whether any thing worth saving, in morals and institutions, had escaped the general wreck; for he was among those whose general attachment to freedom had induced them to hail with joy the first prospects which the revolution seemed to open upon France. His own early admiration of the literary and social genius of her people had made him watch, with the liveliest interest, the progress of their struggles, until they assumed a character which no honourable mind could contemplate without anguish and horror.

To Mr. Curran, too, every painful reflection upon the destiny of France was embittered from its connexion with a subject so much nearer to his heart, the fate of Ireland: for to whatever cause the late rebellion might be attributed, whether to an untimely and intemperate spirit of innovation in the people, or to an equally violent spirit of coercion in the state, it was in the influence of the French revolution that the origin of both might be found.

It will be seen, from some passages in the following letter to one of his sons, that he found little in France under its consular government to diminish his regrets or justify a return to hope.

"Paris, October 5, 1802.

"DEAR RICHARD,

"Here I am, after having lingered six or seven days very unnecessarily in London. I don't know that even the few

days that I can spend here will not be enough; sickness long and gloomy; convalescence disturbed by various paroxysms; relapse confirmed; the last a spectacle soon seen and painfully dwelt upon. I shall stay here yet a few days. There are some to whom I have introductions that I have not seen. I don't suppose I shall get myself presented to the consul. Not having been privately baptized at St. James's would be a difficulty; to get over it a favour; and then the trouble of getting one's self costumed for the show; and then the small value of being driven, like the beasts of the field before Adam when he named them; I think I sha'n't mind it. The character of this place is wonderfully different from that of London. I think I can say without affectation, that I miss the frivolous elegance of the old times before the revolution, and that in the place of it I see a squalid, beard-grown, vulgar vivacity; but still it is vivacity, infinitely preferable to the frozen and awkward sulk that I have left. Here they certainly wish to be happy, and think that by being merry they are so. I dined yesterday with Mr. Fox, and went in the evening to Tivoli, a great planted, illuminated garden, where all the *bourgeoisie* of Paris, and some of a better description, went to see a balloon go up. The aeronaut was to have ascended with a smart girl, his *bonne amie*; for some reason that I know not, some one else went up in her place; she was extremely mortified; the balloon rose, diminished, vanished into night; no one could guess what might be its fate, and the poor dear one danced the whole evening to shake off her melancholy.

"I am glad I have come here. I entertained many ideas of it, which I have entirely given up, or very much indeed altered. Never was there a scene that could furnish more to the weeping or the grinning philosopher; they well might agree that human affairs were *a sad joke**. I see it every where, and in every thing. The wheel

* This idea occurs again in a speech, delivered by Mr. Curran two years subsequent to the date of the above letter. "I find, my lords, I have undesignedly raised a laugh. Never did I less feel merriment—let me not be condemned—let not the laugh be mistaken. Never was Mr. Hume more just than when he says, 'that in many things the extremes are nearer to one another than the means.' Few are those events, that are produced by vice and folly, which fire the heart with indignation, that do not also shake the sides with laughter. So when the two famous moralists of old beheld the

has run a complete round; only changed some spokes and a few 'fellows,' very little for the better, but the axle certainly has not rusted; nor do I see any likelihood of its rusting. At present all is quiet except the tongue, thanks to those invaluable protectors of peace, the army!! At Tivoli last night we had at least an hundred soldiers, with fixed bayonets. The consul now *lives* at St. Cloud, in a magnificence, solitary, but still fitting his marvellous fortune. He is very rarely seen—he travels by night—is indefatigable—has no favourite, &c.

"As to the little affairs at the Priory,* I can scarcely condescend, after a walk in the Louvre, amid the spirit of those arts which were inspired by freedom, and have been transmitted to power, to think of so poor a subject. I hope to get a letter from you in London, at Osborne's, Adelphi. Many of the Irish are here—not of consequence, to be in danger: I have merely heard of them. Yesterday I met Arthur O'Connor in the street, with Lord and Lady Oxford. Her ladyship very kindly pressed me to dine: but I was engaged. I had bargained for a cabriolet, to go and see my poor gossip. Set out at two: at the end of five miles found I was totally misdirected—returned to St. Denys—got a miserable dinner, and was fleeced as usual. I had some vengeance of the rascal, however, by deploring the misery of a country where a stranger had nothing for his dinner but a bill. You feel a mistake in chronology in the two "yesterdays;" but, in fact, part of this was written yesterday, and the latter part now. I need not desire you to bid any one remember me; but tell them I remember them. Say how Eliza does. Tell Amelia and Sarah I do not forget them. God bless you all.

"J. P. C."

sad spectacle of life, the one burst into laughter, and the other melted into tears; they were each of them right and equally right.

Si credas utrique
Res sunt humanæ flebile ludibrium.

But these are the bitter ireful laughs of honest indignation, or they are the laughs of hectic melancholy and despair."—*Speech in behalf of Mr. Justice Johnson.*

* Mr. Curran's country seat in the vicinity of Dublin.

A more detailed and elaborate exposition of Mr. Curran's opinions upon the condition of France at this period, and upon the merits of its ruler's system, is contained in a speech which he made the following year in defence of Owen Kirwan, one of the persons engaged in the insurrection of the 23d of July, 1803. He undertook the office of counsel for some of these deluded insurgents, not in the expectation that any aid of his could save them, but because it afforded him an opportunity of warning his countrymen against a recurrence to such fatal enterprises, by publicly protesting against their folly and criminality, and by exposing the fatuity of those who imagined that a revolution, achieved by the assistance of France, could have any other effect than that of subjecting Ireland to the merciless controul of that power. His opinions and advice upon this subject he gave at considerable length in the speech alluded to, which, independent of any other claims to praise, remains an honourable testimony of his promptness in opposing the passions of the people, where he did not conceive that they were the necessary result of more reprehensible passions in a higher quarter. He has hitherto been seen almost uniformly exclaiming against the latter as the principal causes of his country's disasters; it is therefore due to him, and to the government of 1803, to give an example of the different language that he used where he considered it deserved.

"I cannot but confess that I feel no small consolation when I compare my present with my former situation upon similar occasions. In those sad times to which I allude, it was frequently my fate to come forward to the spot where I now stand, with a body sinking under infirmity and disease, and a mind broken with the consciousness of public calamity, created and exasperated by public folly. It has pleased heaven that I should live to survive both these afflictions, and I am grateful for its mercy. I now come here through a composed and quiet city—I read no expression in any face, save such as marks the ordinary feelings of social life, or the various characters of civil occupation—I see no frightful spectacle of infuriated power or suffering humanity—I see no tortures—I hear no shrieks—I no longer see the human heart charred in the flame of its own vile and paltry passions, black and bloodless, capable

only of catching and communicating that destructive fire by which it devours, and is itself devoured—I no longer behold the ravages of that odious bigotry by which we were deformed, and degraded, and disgraced; a bigotry against which no honest man should ever miss an opportunity of putting his countrymen, of all sects, and of all descriptions, upon their guard.

"Even in this melancholy place I feel myself restored and re-created by breathing the mild atmosphere of justice, mercy, and humanity—feel I am addressing the parental authority of the law. I feel I am addressing a jury of my countrymen, of my fellow subjects, and my fellow christians, against whom my heart is waging no concealed hostility, from whom my face is disguising no latent sentiment of repugnance or disgust. I have not now to touch the high-raised strings of an angry passion in those that hear me; nor have I the terror of thinking, that, if those strings cannot be snapped by the stroke, they will be only provoked into a more instigated vibration.

"I have heard much of the dreadful extent of the conspiracy against this country, of the narrow escape of the government: you now see the fact as it is. By the judicious adoption of a mild and conciliatory system of conduct, what was six years ago a formidable rebellion has now dwindled down to a drunken, riotous insurrection—disgraced, certainly, by some odious atrocities: its objects, whatever they were, no doubt highly criminal; but, as an attack upon the state, of the most contemptible insignificance.

"I have no pretension to be the vindicator of the lord lieutenant of Ireland, whose person I do not know that I have ever seen; at the same time, when I am so necessarily forced upon the subject, I feel no disposition to conceal the respect and satisfaction with which I saw the king's representative comport himself as he did, at a crisis of no little anxiety, though of no considerable danger. I think it was a proof of his excellency's firmness and good sense, not to discredit his own opinion of his confidence in the public safety, by an ostentatious display of unnecessary open preparation; and I think he did himself equal honour, by preserving his usual temper, and not suffering himself to be exasperated by the event, when it did happen, into the adoption of any violent or precipitate

measures. Perhaps I may even be excused, if I confess that I was not wholly free from some professional vanity when I saw that the descendant of a great lawyer* was capable of remembering what, without the memory of such an example, he perhaps might not have done, that, even in the moment of peril, the law is the best safeguard of the constitution. At all events, I feel that a man, who, at all times, has so freely censured the extravagancies of power and force as I have done, is justified, if not bound, by the consistency of character, to give the fair attestation of his opinion to the exercise of wisdom and humanity wherever he finds them, whether in a friend or in a stranger."

Upon the subject of the mere political folly, "setting even apart all moral tie of duty or allegiance, or the difficulty or the danger" of Ireland's desiring to separate from England, and fraternize with France, Mr. Curran observes, "Force only can hold the acquisitions of the French consul. What community of interest can he have with the different nations that he has subdued and plundered? clearly none. Can he venture to establish any regular and protected system of religion amongst them? Wherever he erected an altar, he would set up a monument of condemnation and reproach upon those wild and fantastic speculations which he is pleased to dignify with the name of philosophy, but which other men, perhaps because they are endowed with a less aspiring intellect, conceive to be a desperate, anarchical atheism, giving to every man a dispensing power for the gratification of his passion, teaching him that he may be a rebel to his conscience with advantage, and to his God with impunity. Just as soon would the government of Britain venture to display the crescent in their churches, as an honorary member of all faiths to show any reverence to the cross in his dominions. Apply the same reasoning to liberty. Can he venture to give any reasonable portion of it to his subjects at home, or his vassals abroad? The answer is obvious: sustained merely by military force, his unavoidable policy is to make *the army every thing* and *the people nothing*. If he ventured to elevate his soldiers into citizens, and his wretched subjects into freemen, he would

* Lord Hardwicke.

form a confederacy of mutual interest between both, against which he could not exist a moment.

"I may be asked are these merely my own speculations, or have others in Ireland adopted them. I answer freely, *non meus hic sermo est.* It is, to my own knowledge, the result of serious reflection in numbers of our countrymen. In the storm of arbitrary sway, in the distraction of torture and suffering, the human mind had lost its poise and tone, and was incapable of sober reflection; but, by removing those terrors from it, by holding an even hand between all parties, by disdaining the patronage of any sect or faction, the people of Ireland were left at liberty to consider her real situation and interest; and happily for herself, I trust in God, she has availed herself of the opportunity. With respect to the higher orders, even of those who thought they had some cause to complain, I know this to be the fact—they are not so blind as not to see the difference between being proud, and jealous, and punctilious, in any claim of privilege or right between themselves and their fellow subjects, and the mad and desperate depravity of seeking the redress of any dissatisfaction that they might feel, by an appeal to force, or the dreadful recourse to treason and to blood. As to the humbler order of our people, for whom, I confess, I feel the greatest sympathy, because there are more of them to be undone—I have not the same opportunity of knowing their actual opinions; but if their opinions be other than I think they ought to be, would to God they were present in this place, or that I had the opportunity of going into their cottages—and they well know I should not disdain to visit them, and to speak to them the language of affection and candour on the subject—I should have little difficulty in showing to their quick and apprehensive minds how easy it is, when the heart is incensed, to confound the evils which are inseparable from the destiny of imperfect man, with those which arise from the faults or errors of his political situation. I would put a few questions to their candid, unadulterated sense: Do you think you have made no advance to civil prosperity within the last twenty years? Are your opinions of modern and subjugated France the same that you entertained of popular and revolutionary France fourteen years ago? Have you any hope, that, if the first consul

got possession of your island, he would treat you half so well as he does those countries at his door, whom he must respect more than he can respect or regard you? Can you suppose that the perfidy and treason of surrendering your country to an invader would, to your new master, be any pledge of your allegiance? Can you suppose, that, while a single French soldier was willing to accept an acre of Irish ground, that he would leave that acre in the possession of a man who had shown himself so stupidly dead to the suggestions of the most obvious interest, and to the ties of the most imperious moral obligations? Do you think he would feel any kind-hearted sympathy for you? Answer yourselves by asking, what sympathy does he feel for Frenchmen, whom he is ready by thousands to bury in the ocean, in the barbarous gambling of his wild ambition? What sympathy, then, could bind him to you? He is not your countryman: the scene of your birth and your childhood is not endeared to his heart by the reflection that it was also the scene of his. He is not your fellow-christian: he is not, therefore, bound to you by any similarity of duty in this world, or by any union of hope beyond the grave; what, then, could you suppose the object of his visit, or the consequence of his success? Can you be so foolish as not to see that he would use you as slaves while he held you; and that when he grew weary, which he would soon become, of such a worthless and precarious possession, he would carry you to market in some treaty of peace, barter you for some more valuable concession, and surrender you to expiate by your punishment and degradation, the advantage you had given him by your follies and your crimes."

The particulars of the scene on the night of the 23d of July are not inserted here.* It resembled a riot rather than an insurrection, and was alarming only because it was unexpected; for, notwithstanding the momentary panic which it excited, in a few hours the public tranquillity was restored; yet however innocuous to the state, it was to Ireland a great calamity. It revived and confirmed many sentiments of internal animosity and distrust, by fatally proving that the elements of disorder were not extinct; it violently tore

* The account of the plan of insurrection, drawn up by Mr. Robert Emmet during his imprisonment, will be found in the Appendix.

from the services of his country the respected Lord Kilwarden, one of the most upright of her magistrates; the wisest, because the gentlest, in her councils; the man who of all others least required such a martyrdom to consecrate his name. It is scarcely necessary to add, that to Mr. Curran the fate of a person whom he had so long loved and honoured, and who in the season of trial had proved so tender a friend to him, and to their common country, was a source of profound and lasting affliction.*

But it was not solely in this point of view that the late events effected Mr. Curran: there were some accompanying circumstances which more intimately related to himself; and however painful their introduction may be, it yet becomes every one who has a

* It is universally agreed that the murder of this excellent man was the unpremeditated act of a ferocious rabble; but there are various accounts of their probable motives in wantonly sacrificing so upright and humane a judge to their fury. A popular explanation of this is, that the perpetrators mistook him for another person. There is also an account which admits the mistake in the first instance, but subjoins other particulars which appear sufficiently probable; and as some of the facts, of which there is no doubt, reflect the highest honour upon Lord Kilwarden's memory, the whole shall be given here.

In the year 1795, when he was attorney-general, a number of young men (all of whom were between the age of fifteen and twenty) were indicted for high treason. Upon the day appointed for their trial they appeared in the dock, wearing shirts with tuckers and open collars, in the manner usual with boys. When the chief justice of the King's Bench, before whom they were to be tried, came into court and observed them, he called out, "Well, Mr. Attorney, I suppose you're ready to go on with the trials of these *tuckered* traitors?" The attorney-general was ready, and had attended for the purpose; but indignant and disgusted at hearing such language from the judgment seat, he rose, and replied, "No, my lord, I am *not* ready; and (added he, in a low tone to one of the prisoner's counsel who was near him) if I have any power to save the lives of these boys, whose extreme youth I did not before observe, that man shall never have the gratification of passing sentence upon a single one of these *tuckered* traitors." He performed his promise, and soon after procured pardons for them all, upon the condition of their expatriating themselves for ever; but one of them obstinately refusing to accept the pardon upon that condition, he was tried, convicted, and executed. Thus far the facts rest upon credible authorities: what follows is given as an unauthenticated report. After the death of this young man, his relatives (it is said) readily listening to every misrepresentation which flattered their resentment, became persuaded that the attorney-general had selected him alone to suffer the utmost severity of the law. One of these (a person named Shannon) was an insurgent on the 23d of July, and when Lord Kilwarden, hearing the popular cry of vengeance, exclaimed from his carriage, "It is I, Kilwarden chief justice of the King's Bench!" "Then," cried out Shannon, "you're the man that *I* want!" and plunged a pike into his lordship's body.

This story was current among the lower orders in Dublin, who were the most likely to know the fact.

sense of the fidelity which is due to the public whom he addresses, not to screen himself behind his personal feelings, where a paramount duty demands their sacrifice; still less would he, upon whom that duty at present devolves, be justified under such a pretext, in leaving the possibility of any misconception or reproach regarding one whose memory the combined sentiments of nature, of country, and of individual respect, impel him to cherish and revere. In the following facts, as far as they are generally connected with Mr. Curran, there is indeed no new disclosure. It is a matter of notoriety, that at this period his house was searched—that he appeared himself before the members of the privy council—and that a rumour prevailed, to which his political enemies gave a ready credit, and as far as they could, a confirmation, that he was personally implicated in the recent conspiracy. To be silent, therefore, upon a subject so well known, would be a fruitless effort to suppress it; to allude to it remotely and timidly would be to imply that the whole could not bear to be told: it only remains then to give an explicit statement of the particulars, and to subjoin one or two original documents, which will be found to corroborate it in every essential point.

The projector of the late insurrection, Mr. Robert Emmet, who was a young gentleman of a highly respectable family, of very striking talents and interesting manners, was in the habit of visiting at Mr. Curran's house: here he soon formed an attachment for Mr. Curran's youngest daughter. Of the progress of that attachment, and of the period and occasion of his divulging it to her, Mr. Emmet's letters, inserted hereafter, contain all that is to be told. It is necessary, however, to add, as indeed will appear from those letters, that her father remained in total ignorance of the motive of Mr. Emmet's visits, until subsequent events made it known to all. To a man of his celebrity and attractive conversation, there seemed nothing singular in finding his society cultivated by any young person to whom he afforded (as he so generally did to all) the opportunities of enjoying it. As the period, however, of the intended insurrection approached, Mr. Curran began to suspect, from minute indications, which would probably have escaped a less skilful observer, that his young visiter was actuated by some strong

passions, which it cost him a perpetual effort to conceal; and in consequence, without assigning to those appearances any precise motive, or giving the subject much attention, he, in general terms, recommended to his family not to allow what was at present only a casual acquaintance to ripen into a greater degree of intimacy.

Upon the failure of the insurrection, its leader escaped, and succeeded for some weeks in secreting himself. There is reason to believe, that had he attended solely to his safety, he could have easily effected his departure from the kingdom; but in the same spirit of romantic enthusiasm which distinguished his short career, he could not submit to leave a country to which he could never more return, without making an effort to have one final interview with the object of his unfortunate attachment, in order to receive her personal forgiveness for what he now considered as the deepest injury. It was apparently with a view to obtaining this last gratification that he selected the place of concealment in which he was discovered: he was arrested in a house situate midway between Dublin and Mr. Curran's country seat. Upon his person were found some papers, which showed that subsequent to the insurrection he had corresponded with one of that gentleman's family: a warrant accordingly followed, as a matter of course, to examine Mr. Curran's house, where some of Mr. Emmet's letters were found, which, together with the documents taken upon his person, placed beyond a doubt his connexion with the late conspiracy, and were afterwards used as evidence upon his trial.

It was from this legal proceeding that Mr. Curran received the first intimation of the melancholy attachment in which one of his children had been involved. This is not the place to dwell upon the agony which such a discovery occasioned to the private feelings of the father. It was not the private calamity alone which he had to deplore; it came embittered by other circumstances, which, for the moment, gave his sensibility an intenser shock. He was a prominent public character, and from the intrepid resistance which he had uniformly made in the senate and at the bar to the unconstitutional measures of the state, was inevitably exposed to the political hatred of many, who would have gloried in the ruin of his reputation as in a decisive triumph over those principles which he

had all his life supported. He had seen and experienced too much of party calumny not to apprehend that it would show little respect for a misfortune which could afford a pretext for accusation; and however secure he might feel as to the final results of the most merciless investigation, he still could not contemplate without anguish the possibility of having to suffer the "humiliation of an acquittal." But his mind was soon relieved from all such distressing anticipations. He waited upon the attorney-general,* and tendered his person and papers to abide any inquiry which the government might deem it expedient to direct. That officer entered into his situation with the most prompt and manly sympathy, and instead of assuming the character of an accuser of the father, more generously displayed his zeal in interceding for the child. At his instance Mr. Curran accompanied him to the privy council. Upon his first entrance there was some indication of the hostile spirit which he had originally apprehended. A noble lord, who at that time held the highest judicial situation in Ireland, undertook to examine him upon the transaction which had occasioned his attendance. To do this was undoubtedly his duty; but overstepping his duty, or at least his prudence, he thought proper to preface his intended questions by an austere, authoritative air, of which the palpable meaning was, that he considered intimidation as the most effectual mode of extracting the truth. He fixed his eye upon Mr. Curran, and was proceeding to cross-examine his countenance, when (as is well remembered by the spectators of the scene) the swell of indignation, and the glance of stern dignity and contempt which he encountered there, gave his own nerves the shock which he had meditated for another's, and compelled him to shrink back into his chair, silent and disconcerted at the failure of his rash experiment. With this single exception, Mr. Curran was treated with the utmost delicacy; for this he was principally indebted to the friendship of the attorney-general, who finding that every inquiry and document upon the subject explained all the circumstances beyond the possibility of an unfavourable conjecture, hu-

* The right honourable Standish O'Grady, the present Chief Baron of the Exchequer in Ireland.

manely and (where it was necessary) firmly interposed his authority, to save the feelings of the parent from any additional affliction.

The following are the letters which it seems requisite to introduce. There was a time when the publication of them would have excited pain, but that time is past. The only persons to whom such a proceeding could have given a pang, the father and the child, are now beyond its reach; and their survivor, who from a sense of duty permits them to see the light, does so under a full persuasion, that all those who from personal knowledge, or from report, may sometimes recal their memories with sentiments of tenderness or esteem, will find nothing in the contents of those documents which can provoke the intrusion of a harsher feeling.

FROM MR. ROBERT EMMET TO JOHN PHILPOT CURRAN, ESQ.

"I did not expect you to be my counsel. I nominated you, because not to have done so might have appeared remarkable. Had Mr. ——— been in town, I did not even wish to have seen you; but as he was not, I wrote to you to come to me once. I know that I have done you very severe injury, much greater than I can atone for with my life: that atonement I did offer to make before the privy council, by pleading guilty, if those documents were suppressed. I offered more—I offered, if I was permitted to consult some persons, and if they would consent to an accommodation for saving the lives of others, that I would only require for my part of it the suppression of those documents, and that I would abide the event of my own trial. This also was rejected; and nothing but individual information (with the exception of names) would be taken. My intention was, not to leave the suppression of those documents to possibility, but to render it unnecessary for any one to plead for me, by pleading guilty to the charge myself.

"The circumstances that I am now going to mention, I do not state in my own justification. When I first addressed your daughter, I expected that in another week my own fate would be decided. I knew that in case of success, many others might look on me differently from what they did at that moment; but I speak with sin-

cerity, when I say that I never was anxious for situation or distinction myself, and I did not wish to be united to one who was. I spoke to your daughter, neither expecting, nor, in fact, under those circumstances wishing that there should be a return of attachment; but wishing to judge of her dispositions, to know how far they might be not unfavourable or disengaged, and to know what foundation I might afterwards have to count on. I received no encouragement whatever. She told me that she had no attachment for any person, nor did she seem likely to have any that could make her wish to quit you. I staid away till the time had elapsed when I found that the event to which I allude was to be postponed indefinitely. I returned by a kind of infatuation, thinking that to myself only was I giving pleasure or pain. I perceived no progress of attachment on her part, nor any thing in her conduct to distinguish me from a common acquaintance. Afterwards I had reason to suppose that discoveries were made, and I should be obliged to quit the kingdom immediately; and I came to make a renunciation of any approach to friendship that might have been formed. On that very day she herself spoke to me to discontinue my visits: I told her that it was my intention, and I mentioned the reason. I then, for the first time, found, when I was unfortunate, by the manner in which she was affected, that there was a return of affection, and that it was too late to retreat. My own apprehensions, also, I afterwards found, were without cause, and I remained. There has been much culpability on my part in all this, but there has also been a great deal of that misfortune which seems uniformly to have accompanied me. That I have written to your daughter since an unfortunate event has taken place, was an additional breach of propriety, for which I have suffered well; but I will candidly confess, that I not only do not feel it to have been of the same extent, but that I consider it to have been unavoidable after what had passed; for though I will not attempt to justify in the smallest degree my former conduct yet when an attachment was once formed between us—and a sincerer one never did exist—I feel that, peculiarly circumstanced as I then was, to have left her uncertain of my situation would neither have weaned her affections, nor lessened her anxiety; and looking upon her as one, whom, if I had lived, I

hoped to have had my partner for life, I did hold the removing her anxiety above every other consideration. I would rather have had the affections of your daughter in the back settlements of America, than the first situation this country could afford without them. I know not whether this will be any extenuation of my offence—I know not whether it will be any extenuation of it to know, that if I had that situation in my power at this moment, I would relinquish it to devote my life to her happiness—I know not whether success would have blotted out the recollection of what I have done—but I know that a man, with the coldness of death on him, need not be made to feel any other coldness, and that he may be spared any addition to the misery he feels not for himself, but for those to whom he has left nothing but sorrow."*

FROM THE SAME TO RICHARD CURRAN, ESQ.

"MY DEAREST RICHARD,

"I find I have but a few hours to live, but if it was the last moment, and that the power of utterance was leaving me, I would thank you from the bottom of my heart for your generous expressions of affection and forgiveness to me. If there was any one in the world in whose breast my death might be supposed not to stifle every spark of resentment, it might be you—I have deeply injured you—I have injured the happiness of a sister that you love, and who was formed to give happiness to every one about her, instead of having her own mind a prey to affliction. Oh! Richard, I have no excuse to offer, but that I meant the reverse; I intended as much happiness for Sarah as the most ardent love could have given her. I never did tell you how much I idolised her:—it was not with a wild or unfounded passion, but it was an attachment increasing every hour, from an admiration of the purity of her mind, and respect for her talents. I did dwell in secret upon the prospect of our union. I did hope that success, while it afforded the opportunity of our union, might be the means of confirming an attachment, which

* The original, from which the above has been copied, is not signed or dated. It was written in the interval between Mr. Emmet's conviction and execution.

misfortune had called forth. I did not look to honours for myself—praise I would have asked from the lips of no man; but I would have wished to read in the glow of Sarah's countenance that her husband was respected. My love, Sarah! it was not thus that I thought to have requited your affection. I did hope to be a prop round which your affections might have clung, and which would never have been shaken; but a rude blast has snapped it, and they have fallen over a grave.

"This is no time for affliction. I have had public motives to sustain my mind, and I have not suffered it to sink; but there have been moments in my imprisonment when my mind was so sunk by grief on her account, that death would have been a refuge.

"God bless you, my dearest Richard. I am obliged to leave off immediately.

"ROBERT EMMET."

This letter was written at twelve o'clock on the day of Mr. Emmet's execution, and the firmness and regularity of the original hand-writing contain a striking and affecting proof of the little influence which the approaching event exerted over his frame. The same enthusiasm which allured him to his destiny, enabled him to support its utmost rigour. He met his fate with unostentatious fortitude; and although few could ever think of justifying his projects or regretting their failure, yet his youth, his talents, the great respectability of his connexions, and the evident delusion of which he was the victim, have excited more general sympathy for his unfortunate end, and more forbearance towards his memory, than is usually extended to the errors or sufferings of political offenders.

CHAPTER XV.

Mr. Curran appointed Master of the Rolls in Ireland—His literary projects—Letter to Mr. M'Nally—Account of a visit to Scotland in a letter to Miss Philpot—Letter to Mr. Leslie—Letters to Mr. Hetherington.

*Upon the death of Mr. Pitt, the political party with whom Mr. Curran had so long been acting having come into office, he was appointed Master of the Rolls in Ireland, and a member of the privy council.† With this appointment he was dissatisfied at the

* In the interval between 1803 and the period of his elevation to the bench (1806) Mr. Curran farther distinguished himself at the bar in the case of Massey against the Marquis of Headfort (July, 1804) and in the case of Mr. Justice Johnson (February, 1805.) His speeches upon those occasions are among his most vigorous efforts; but ample specimens of his forensic eloquence having been already introduced, the reader is referred to the published collection.

† Upon this occasion the Irish bar convened a meeting, and voted the following address to Mr. Curran:—

"Sir—In your recent appointment to a high and dignified situation, the first pride of the Irish bar feels itself gratified, that independent spirit, pre-eminent talents, and inflexible integrity have recommended their possesser to the royal favour, and procured his advancement to the bench of justice.

"Yes, Sir, we trust that the lustre which shone upon your distinguished progress as an advocate will beam with a milder but more useful influence from the bench; and that the unbiassed, impartial, and upright judge will be found in the person who exalted the character of the Irish bar, by his eloquence, and uniformly supported the rights and privileges of an honourable profession."

MR. CURRAN'S ANSWER.

"Gentlemen—I thank you from my heart for this proof of your confidence and affection. The approving opinion of so enlightened and independent a body as the Irish bar would be a most valuable reward of merit much superior to mine, which I am conscious has gone little beyond a disposition, but I trust an honest and ardent disposition, so to act in my public and professional characters, as not to be altogether unworthy of the name of an Irishman of that disposition. I receive your kind commendation with pride. I feel that probity of intention is all that we can be responsible for.

"I am peculiarly gratified by the flattering attestation you are pleased to bestow on my endeavours to support the privileges of our profession. They are vitally and inseparably connected with the enjoyment of constitutional liberty and the effectual administration of justice. The more active part which I may have taken in the defence of these privileges I bequeath to you, but be assured that I bring with me, to the situation where it has been the pleasure of his majesty to place me, the most perfect conviction, that in continuing to maintain them, I shall co-operate with you in the discharge of one of the most important duties that can bind us to our country.

time, and he never became entirely reconciled to it. It imposed upon his mind a necessity of unaccustomed labour and unaccustomed restraint, to which opposite habits of so many years did not allow him easily to submit. Whatever might be its dignity or emolument, it had no political consequence; and therefore, to him, who had acted such a part in the history of his country, it seemed rather like a compensation for former services, than as a means of taking that honourable share to which he felt himself intitled, in an administration that promised such benefits to Ireland. These sentiments of disgust, in which he perhaps indulged to an unreasonable excess, disturbed the friendship which had so long subsisted between him and the late Mr. George Ponsonby, whom Mr. Curran considered as having, by his acquiescence in his appointment to the Rolls, attended to his nominal interests at the expense of his feelings and his reputation. In this opinion, however encouraged by some subsequent circumstances, it is due to the memory of Mr. Ponsonby to state, that Mr. Curran was mistaken. Mr. Ponsonby made no such intentional sacrifice of his friend. He imagined that he was observing, with the strictest honour, the spirit of every former engagement, although it cannot be too much lamented that he should have withheld all explanation on the subject, until a mutual alienation had taken place, which no explanation could recall. The impression was never removed from Mr. Curran's mind, that he had, upon this occasion, been unkindly treated; but it is pleasing to observe, that his resentment was softened and finally subdued by the recollection of his former regard and respect. He visited Mr. Ponsonby in his last illness, and after his lamented death, took every opportunity of dwelling upon his virtues, and attesting the claims, which the long and disinterested services of himself and his family had given their name to the gratitude of their country.

The remaining years of Mr. Curran's life contain little of incident. His time was passed without much variety between the duties of his judicial situation, and the enjoyment of that social intercourse for which his taste continued undiminished to the last. It was observed by his friends, to whom he was an object of so much interest, that the slightest circumstance connected with him

attracted their attention, that his spirits began to decline from the moment of his elevation to the bench. He felt sensible himself, that the sudden discontinuance of those modes of intellectual exercise, which an uninterupted habit of so many years had rendered almost a necessary of life, was impairing the health of his mind. All his powers were still in their fullest vigour, and he could not but feel discontented and mortified at finding them (not so much released from toil as) condemned to repose. In the hope of removing this inquietude by indulging his faculties in their accustomed tastes, he began to project one or two literary works. One of them, and which it is much to be regretted that he had not the firmness to execute, was memoirs of his own time; but all the intreaties of his friends, and all his own resolutions, gave way before his unconquerable aversion to written compositions.—The only notice of this intended work found among his papers, was the following motto and preface:

"You that propose to be the historian of yourself, go first and trace out the boundary of your grave—stretch forth your hand, and touch the stone that is to mark your head, and swear by the Majesty of Death, that your testimony shall be true, unwarped by prejudice, unbiassed by favour, and unstained by malice; so mayest thou be a witness not unworthy to be examined before the awful tribunal of that after time, which cannot begin, until you shall have been numbered with the dead.

"I have frequently conceived the design of writing some memoirs of myself, and of the times in which I have lived, but I have been prevented by other avocations, not very compatible with such a purpose. I was also detered by the great hazard to which every man is exposed who ventures to take himself for a subject. What security can he offer to himself or to his reader against the glosses and perversions of false modesty and vain glory? How can he satisfy either that he is not an advocate, when he should be only a reporter? As to the strange and wayward destinies that have agitated this unhappy country during the interval I speak of—when I recollect the strong incitement that I felt as an observer or an actor, can I hope to subside into that unfevered moderation, without which I can scarcely be competent to the task of reviewing or recording

them? And yet, perhaps, in my strong feeling of the difficulty and the danger, there may be some hope of escape. The consciousness may be some safeguard against myself, and the fairness of the avowal will naturally prevent the reader from following me when I am led astray. I have therefore resolved to make some attempt upon the subject, in such intervals of health or of leisure as I may be able to command; pursuing it in that way, I cannot hope for much minuteness of detail, or much exactness of connexion. But, however imperfect the performance may be, and indeed must be under such circumstances, yet if it shall contribute to preserve the memory of some acts, and of some actors, that ought not to perish, but should be preserved for the purpose of praise or punishment or example, my labour, however humble, will not be without its use."

He thus alludes to the same subject in one of his private letters.

"I have long thought of doing something on the time in which I have myself lived, and acted, and suffered; from the bringing Ireland, in 1782, from the grave in which she had slept for so many centuries, to her reinterment in 1800; after so short an interval of hectical convalescence, and of hope so cruelly and effectually assailed and extinguished, probably for ever! This must of necessity draw me to collateral notice of myself in some small and very subordinate degree—the few events that befel myself—and the sentiments and opinions that I entertained upon public affairs, together with the notions that I formed as a public and professional man. Perhaps the strong terror which I anticipate at the possible seductions of silly vanity and egotism may be some antidote against their poison. And yet perhaps, on this very point, my present feelings should convince me how little I have to hope from my own caution or discretion. I am conscious that I feel uneasy at thinking that the fooleries and falsehoods that have been published as memoirs of me during my life, will be more wantonly repeated when I am gone, which must be soon. And though I now think my only idea is to leave behind me some little postcript, merely to prevent misrepresentation, and modestly confining itself within the extreme insignificance of the subject, who, my dear Dick, will go bail for the quill that is born of a goose?"

Another and a more favourite design, which the same distaste to writing involved in a similar fate, was the composition of a novel, of which the scenes and characters were to be connected with the modern history of Ireland. Of this work, which since the period of the Union he had been meditating, his mind had completed the whole plan: he often repeated long passages, descriptive of the most interesting situations, and marked by a style of affecting eloquence which would have rendered the work, had he submitted to the task of committing it to paper, a valuable and very original accession to that department of English literature.

However, although subsequent to Mr. Curran's leaving the bar, his mind produced little that could add to his previous reputation, there still remain many farther examples of his style and opinions, preserved in his letters on private and public subjects, and in occasional speeches, from which a selection shall be introduced in the remaining portion of his history. The greater number of the private letters are written from England, which, notwithstanding his constant complaints against what he considered the cold unsocial manners of its people, he seized every opportunity of visiting, and seldom quitted without reluctance and despondency. This was particularly the case since the Union, of which the effects had been so fatal to the society of the Irish capital.

TO LEONARD M'NALLY, ESQ. DUBLIN.

" Godwin's, 41 Skinner-street, London.

" Dear Mac,

" I got the cover yesterday, thinking to write a very long wise letter to you; now I have only the few moments that G.'s griskin takes to be burnt. Poor Tooke is, I fear, at his last. A singular man! One glory he has eminently—he has been highly valued by many good men of his day, and persecuted by almost every scoundrel that united the power with the will to do so. His talents were of the first stamp, his intellect most clear, his attachment to England, I think, inflexible, his integrity not to be seduced, and his personal courage not to be shaken. If this shall be admit-

ted, he has lived long enough; and if it is not, he has lived too long.

"My health is much better; my breast quite free, the pain gone, my appetite rather better, sleep not so profound, spirits flatter, temper more even, altogether some gainer by the reduction of wine. At your side, I understand, my good friends have Sangradoed me, but I have taken only the water, no bleeding for me. I have written to Amelia; that may save you some three pages, which might be blank and written at the same time. I would beg a line, but I shall have set out too soon to get it. No news here, but what the papers give you; they are all mad about the convention; I differ from them totally, as I feel a disposition to do on every subject.

"I am glad to hear you are letting yourself out at Old Orchard; you are certainly unwise in giving up such an inducement to exercise, and the absolute good of being so often in good air. I have been talking about your habit without naming yourself. I am more persuaded that you and Egan are not sufficiently afraid of weak liquors. I can say, from trial, how little pains it costs to correct a bad habit. On the contrary, poor nature, like an ill-used mistress, is delighted with the return of our kindness, and is anxious to show her gratitude for that return, by letting us see how well she becomes it.

"I am the more solicitous upon this point from having made this change, which I see will make me waited for in heaven longer than perhaps they looked for. If you do not make some pretext for lingering, you can have no chance of conveying me to the wherry; and the truth is, I do not like surviving old friends. I am somewhat inclined to wish for posthumous reputation; and if you go before me, I shall lose one of the most irreclaimable of my trumpeters; therefore, dear Mac, no more water, and keep the other element, your wind, for the benefit of your friends. I will show my gratitude as well as I can, by saying handsome things of you to the saints and angels before you come. Best regards to all with you.

"Yours, &c.

"J. P. C."

TO MISS PHILPOT, DUBLIN.

" Loudon Castle (Scotland) Sept. 12, 1810.

" The day is too bad for shooting, so I write. We arrived in miserable weather at Donaghadee; thence we set sail for the Port, where, after a prosperous voyage of ten hours, we arrived. Two English gentlemen had got before us to the inn, and engaged four horses, all there were; two might have drawn them one very short stage, and they saw us prepare to set out in a cart, which we did, and I trust with a cargo of more good manners and good humour aboard us than the two churls could boast in their chaise and four.

" I was greatly delighted with this country; you see no trace here of the devil working against the wisdom and beneficence of God, and torturing and degrading his creatures. It seems the romancing of travelling; but I am satisfied of the fact, that the poorest man here has his children taught to read and write, and that in every house is found a bible, and in almost every house a clock; and the fruits of this are manifest in the intelligence and manners of all ranks. The natural effect of literary information, in all its stages, is to give benevolence and modesty. Let the intellectual taper burn ever so brightly, the horizon which it lights is sure but scanty; and if it soothes our vanity a little, as being the circle of our light, it must check it also, as being the boundary of the interminable region of darkness that lies beyond it. I never knew any person of any real taste and feeling, in whom knowledge and humility were not in exact proportion. In Scotland what a work have the four and twenty letters to show for themselves!—the natural enemies of vice, and folly, and slavery; the great sowers, but the still greater weeders, of the human soil. Nowhere can you see the cringing hypocrisy of dissembled detestation, so inseparable from oppression: and as little do you meet the hard, and dull, and right lined angles of the southern visage; you find the notion exact and the phrase direct, with the natural tone of the Scottish muse.

" The first night, at Ballintray, the landlord attended us at supper: he would do so, though we begged him not. We talked to

him of the cultivation of potatoes. I said, I wondered at his taking them in place of his native food, oatmeal, so much more substantial. His answer struck me as very characteristic of the genius of Scotland—frugal, tender, and picturesque. 'Sir,' said he, 'we are not so much i' the wrong as you think; the tilth is easy, they are swift i' the cooking, they take little fuel; and then it is pleasant to see the gude wife wi' a' her bairns aboot the pot, and each wi' a potato in its hand.'

"We got on to Ayr. It was fortunate; it was the last day of the rain and the first of the races; the town was unusually full, and we stood at the inn door—no room for us. 'My dear Captain,'* said I, 'I suppose we must lie in the streets.'" 'No, that you shall not,' says a good-looking man—it was Campbell of Fairfield—'my wife and I knew you were coming, and we have a warm bed ready for you; she is your countrywoman, and I am no stranger to you; I had a trial in Dublin eight years ago, and you were in the cause.' 'Oh! yes, Sir, I remember; we beat the enemy.' 'Oh! yes, Sir,' says Campbell of Fairfield, 'I beat the enemy, though you were at his head.' I felt my appetite een. I was charmed with the comical forgiveness of his hospitality. I assured him I heartily forgave him for threshing my rascal client; and a few moments brought me to the kind greeting of my very worthy countrywoman. They went a little aside, and I overheard their whispers about dinner. Trouble, you may suppose, I did not wish to give; but the feeling of the possible delay by an additional dish, was my panic. 'My dear madam, I hope you won't make me feel that I am not one of your family, by adding any thing.' 'No, that I won't,' says she; 'and if you doubt my word, I'll give you the security of seven gentlemen against any extravagance.' So saying, she pointed to a group of seven miniatures of young men, that hung over the fire-place. 'Six of those poor fellows are all over the earth; the seventh, and these two little girls, are with us; you will think that good bail against the wickedness of extravagance. Poor fellows!' she repeated. 'Nay, madam, don't say 'poor fellows;' at the moment when you feel that hospitality pre-

* The late Joseph Atkinson, Esq. of Dublin.

vents the stranger from being a poor fellow, you don't think this the only house in the world where the wanderer gets a dinner and a bed; who knows, my dear countrywoman, but Providence is at this moment paying to some of your poor fellows far away from you, for what your kind heart thinks it is giving for nothing.' 'Oh! yes,' cried she: 'God bless you for the thought.' 'Amen, my dear madam,' answered I; 'and I feel that he has done it.'

"We were much pleased with the races; not, you may suppose, at a few foolish horses forced to run after each other, but to see so much order and cheerfulness; not a single dirty person nor a ragged coat. I was introduced to many of their gentry, Lord Eglington, Lord Casselis, Lord Archibald Hamilton, &c. and pressed very kindly to spend some time with them.

"Poor Burns!—his cabin could not be passed unvisited or unwept; to its two little thatched rooms—kitchen and sleeping place—a slated sort of parlour is added, and 'tis now an alehouse. We found the keeper of it tipsey; he pointed to the corner on one side of the fire, and with a most *mal-a-propos* laugh. observed, 'there is the very spot where Robert Burns was born.' The genius and the fate of the man were already heavy on my heart; but the drunken laugh of the landlord gave me such a view of the rock on which he foundered, I could not stand it, but burst into tears.

"On Thursday we dine with Lord Eglington, and thence I hope to pursue our little tour to Lochlomond, Glasgow, Edinburgh, &c. These places are, at this time of the year, much deserted: however we shan't feel it quite a solitude; and, at all events, public buildings, &c. do not go to watering-places, so that still something will be visible. In this region the winter is always mild, but the rain is almost perpetual, and still worse as you advance to the north. An Englishman said to an Highlander, 'Bless me, Sir, does it rain for ever?' The other answered—'Oh! nay, Sir, it snaws whiles.'

"See what a chronicle I have written, &c. &c.

"J. P. C."

The preceding is not the only record that Mr. Curran has left of his admiration of Scotland. His defence of Mr. Hamilton Rowan

contains a short but glowing eulogium upon the genius of that country, for whose splendid services in the cause of the human mind no praise can be too great. After speaking of the excessive terror of French principles, by which juries were governed in their verdicts, he proceeded :—" There is a sort of aspiring and adventurous credulity, which disdains assenting to obvious truths, and delights in catching at the improbability of circumstances, as its best ground of faith. To what other cause can you ascribe that in the wise, the reflecting, and the philosophic nation of Great Britain, a printer has been gravely found guilty of a libel, for publishing those resolutions to which the present minister of that kingdom had actually subscribed his name? To what other cause can you ascribe what, in my mind, is still more astonishing;—in such a country as Scotland—a nation cast in the happy medium between the spiritless acquiescence of submissive poverty and the sturdy credulity of pampered wealth—cool and ardent—adventurous and persevering—winging her eagle flight against the blaze of every science, with an eye that never winks and a wing that never tires—crowned as she is with the spoils of every art, and decked with the wreath of every muse, from the deep and scrutinizing researches of her Hume to the sweet and simple, but not less sublime and pathetic, morality of her Burns—how from the bosom of a country like that, genius, and character, and talents, should be banished to a distant barbarous soil, condemned to pine under the horrid communion of vulgar vice and base-born profligacy, for twice the period that ordinary calculation gives to the continuance of human life ?"*

TO PETER LESLIE, ESQ. DUBLIN,

" Cheltenham, Sept. 11, 1811.

" DEAR PETER,

" Don't open this till the little circle of our Hirish friends are together. You will be all glad to hear that an old friend is yet in the harbour of this stormy world, and has not for-

* Mr. Curran alludes to the sentence of Mr. Muir, Palmer, &c. who had been transported for sedition.

gotten you: in truth, it is only that sentiment that troubles you with this worthless despatch; but small as its value may be, it is worth at least what it costs you. I don't think these waters are doing me any good—I think they never did; they bury my poor spirits in the earth. I consulted yesterday evening (indeed chiefly to put so many moments to a technical death) our countryman B. a very obstinate fellow: though I paid him for his affability, and his 'indeed, I think so too, Mr. Shandy,' I could not work him into an admission that I had any malady whatsoever, nor even any to hope for by continuing the intrigue with Mrs. Forty:* so I have a notion of striking my tent, and taking a position behind the Trent, at Donington.† During my stay here I have fallen into some pleasant female society; but such society can be enjoyed only by those who are something at a tea-table or a ball. Tea always makes me sleepless; and as to dancing, I tried three or four steps that were quite the cream of the thing in France at one time, and which cost me something. I thought it might be the gaiters that gave them a piperly air; but even after putting on my black silk stockings, and perusing them again before the glass, which I put on the ground for the purpose of an exact review, I found the edition was too stale for republication.

"The cover of this contains a list of all the politicians now in Cheltenham, and therefore you must see that I am out of work as well for my head as my heels. Even the newspapers seem so parched by the heat of the season, which is extreme, as to have lost all vegetation. In short, I have made no progress in any thing except in marketing, and I fancy I can cast a glance upon a shoulder of Welsh mutton with all the careless indecision of an unresolved purchaser, and yet with the eye of a master; so I have contrived to have two or three at five o'clock, except when I dine abroad, which I don't much like to do.

"If you remember our last political speculations, you know all that is to be known; and that all being just nothing, you cannot well forget it. The smoke is thickest at the corners farthest from

* The person who dispensed the waters at Cheltenham. Some extracts from an unfinished poem, addressed by Mr. Curran to this lady, will be found at the end of the volume.

† The seat of Lord Moira.

the chimney, and therefore near the fire we see a little more distinctly ;* but as things appear to me, I see not a single ticket in the wheel that may not be drawn a blank, poor Paddy's not excepted. To go back to the fire—each party has the bellows hard at work, but I strongly suspect that each of them does more to blind their rivals, and themselves too, by blowing the ashes about, than they do in coaxing or cherishing the blaze for the comfort or benefit of their own shins. Therefore, my dear Peter, though we have not the gift of prophecy, we have at least the privilege of praying. There is no act of parliament that takes away the right of preferring a petition to heaven ; and therefore, while it yet is lawful, I pray that all may end well, and that we may have an happy escape from knaves and fools. In that hope there is nothing either popish or seditious. To-morrow I go to Gloucester, to the music-meeting, and then I think Mrs. Forty and I shall take the embrace of an eternal adieu. Do not forget me to all our dear friends about you, and assure them that, however kindly they may remember me, I am not, as far as grateful recollection can go, in their debt. God grant we may all meet again in comfort here, or in glory somewhere else.

"Yours, dear Peter,

"Very truly yours,

"JOHN P. CURRAN."

TO RICHARD HETHERINGTON, ESQ.† DUBLIN.

"London, 1811.

"DEAR DICK,

"I write merely to say that I am alive. Never any thing so dull as this place ; I shall soon steer towards you. You must know, I have been requested by a great sculptor to sit for him, and we are now employed in making a most beautiful head in mud,

* This familiar image, almost similarly applied, was the subject of some perplexity to Dr. Johnson.—"Roscommon, foreseeing that some violent concussion of the state was at hand, purposed to retire to Rome, alleging, *that it was best to sit near the chimney when the chamber smoked*, a sentence of which the application seems not very clear."—*Life of Roscommon.*

† This gentleman held the situation of deputy keeper of the Rolls under Mr. Curran ; all of whose letters in his possession he has kindly communicated for insertion in this work.

which is to be the model for a piece of immortal Parian marble. Is that a small style of going, Dick? Having now disposed of what was most important, we come to smaller affairs—politics and war. Wellington has been obliged to give up Rodrigo, and retire westward; I suppose to eat his Christmas pies at his old quarters in Torres Vedras, to which every hundred pounds that is sent to him costs only one hundred and forty pounds here. As to politics, they seem quite relinquished by every one: nobody expects any material change of men or measures; nor in truth do I see any thing in the present state of things that can't be done as well by one set as another. I have little doubt that Perceval is as warlike a hero as Grenville, and just as capable of simplifying our government to the hangman and the taxgatherer.—I am just interrupted; so, God bless you.

"J. P. CURRAN."

TO THE SAME.

"Holland House, 1811.

"DEAR DICK,

"The allurement of a frank gives you this. Here I am, much better I think—all lonely. Burton here for a week—almost every body else away. I am scarcely sorry for having come, one gets out of print; however, I have scarcely to complain, I find myself quite a proof copy: Dear Dick, a man loves to be cockered a little; and certainly I am not stinted here. I suspect it is all affectation when I talk cheaply of the great and the grand; for instance, I went to pay my devoirs to Lady D—, who was very kind; also to Lady A—, who was vastly gracious; also Godwin, as also Lord Holland. To-morrow I shall think of Denis O'Bryen and the Duke of Sussex; 'twill be well if I don't forget you and the hill, while I remember

"J. P. C."

"Some more lies from the continent:—another victory—three legs of Bonaparte shot away, the fourth foot very precarious. I really suspect that you have been here *incog.* and bit every body;

for they will believe nothing, even though authenticated by the most respectable letters from Gottingen. Farewell.

"J. P. CURRAN."

TO THE SAME.

"London, October 12, 1711.

"DEAR DICK,

"I look forward to being very domestic for the winter. I feel my habits and feelings much upon the change: it puts me in mind of a couple of bad verses of my own growth,

> And the long train of joys that charm'd before,
> Stripp'd of their borrow'd plumage, charm no more.

I am weak enough to indulge in a conceited contrition for having done nothing, and the penetential purpose of doing something before I die. God help us! how poor the vanity that self accuses us of wasting funds that never existed, and draws for compensation upon the time that we are not destined to see! or upon efforts that we have not strength to make! You will think it odd that here in London I should be very studious; but so it has been. I have been always prone to metaphysical and theological subjects, though I well know the uncertainty and fruitlessness of such researches; however, I think to call another cause, and adjourn that, till I go thither where all must be plain and clear—where the evidence must be solid, and the judgment infallible.

"I have been only at one play, and that in company with the author, Moore. I sleep three or four nights in the week in the country; so that in Ireland I look to be very good—like an old bachelor who proposes to marry, and take the benefit of an insolvent act.

"There is still no news here—people seem almost sick of conjecturing. As to my part, if I have any opinion, it is that a change would be only partial. The public undoubtedly have no enthusiasm for the outs, and Perceval unquestionably has risen much. In the City they think him a man of probity and of business, which they think much better than high and lofty tumbling.

As to our miserable questions, they are not half so interesting as the broils in the Caraccas. What a test of the Union! And what a proof of the apathy of this blind and insolent country! They affect to think it glorious to struggle to the last shilling of their money, and the last drop of our blood, rather than submit their property and persons to the capricious will of France; and yet that is precisely the power they are exercising over us—the modest authority of sending over to us laws, like boots and shoes ready made for exportation, without once condescending to take our measure, or ask whether or where they pinch us.

"But enough, I think, of religion and politics.

"J. P. C."

CHAPTER XVI.

Mr. Curran is invited to stand for the borough of Newry—Speech to the electors—Letter to Sir J. Swinburne—Letter on Irish affairs to H. R. H. the Duke of Sussex.

From the period of Mr. Curran's elevation to the bench, his friends had been very desirous to see him a member of the British parliament. Independent of the service which they expected that his zeal and talents might render to Ireland, there mingled with their feelings on this subject a sentiment of national pride. His parliamentary abilities they considered as having been greatly underrated; notwithstanding the extensive circulation of his reported speeches, the admiration they had met in England was cold in comparison to the enthusiastic applause which their delivery had excited at home. They were therefore anxious that he should have an opportunity, before age or death should render it impossible, of justifying their preference, and confirming his own reputation by even a single display, before such an audience as the British senate, of those powers which his countrymen had so long been extolling as unrivalled.

These reasons, particularly the sense of duty, were frequently urged upon him, but with little effect. The only question, upon which it seemed to him that he could be useful, was that of catholic emancipation; and even here he could not venture to be sanguine. When he recollected that his illustrious friend Mr. Grattan, who had made that question almost the business of a long life, was still (though supported by so much of the most exalted rank and talent in the British empire) vainly exerting his splendid abilities to drive or shame the bigot from his post, Mr. Curran feared that the accession of any strength that he possessed would prove of little value to the cause. The motives of personal vanity or ambition had still less influence. It is not surprising that he, who in the season of ardour and hope had been so negligent of fame, should continue equally indifferent, now that these incentives to action were passing or had passed away.

Such were his feelings (too full perhaps of despondency and indolence) when, upon the general election in 1812, the independent interest of the town of Newry proposed to elect him their member. A deputation from that borough having waited upon him for the purpose, he accepted the invitation, and repaired to Newry; but after a contest of six days, perceiving that the strength of the other candidate (General Needham) left him no prospect of success, he declined any farther struggle.* Upon this occasion, Mr. Curran delivered a speech of considerable length. It was his last great public effort, and was characterised by the same energy and fancy, and the same spirit of patriotic enthusiasm, which reign in all his former productions. After stating to the electors of Newry the circumstances under which he had been induced to appear among them, and the condition of the borough, which had baffled the exertions of his friends, Mr. Curran proceeded to impress upon his

* The feelings with which Mr. Curran accepted the invitation appear in his answer.

"TO THE WORTHY AND INDEPENDENT ELECTORS OF THE BOROUGH OF NEWRY.

"GENTLEMEN—I have just received an address, signed by a number of highly respectable members of your ancient borough, inviting me to offer myself a candidate to represent your town in parliament. To be thought worthy of such a trust, at so awful a crisis as the present, and to receive such an invitation, unsolicited and unexpected, is an honour that I feel deeply and gratefully.

"Gentlemen, I need not trouble you with many words. You know my principles, you know my conduct heretofore—I am not a stranger coming forward to menace, or to buy you, in order that I may sell you; nor do I rest my pretension on any contrition for the past, nor any premeditated promise that I will at some future period begin to act honestly by you. From the earliest period of my life to see this ill-fated country retrieve from her sad condition of suffering and of shame has been the first and warmest wish of my heart, and warm it shall continue till I myself am cold for ever.

"I know you will not impute it to a want of the most profound respect for you, when I say that I will not personally solicit the vote of any individual. I cannot run the risk of soliciting a suitor in the character of an elector—it would not benefit my judicial situation, and I think it would diminish that credit, which suffrage above all suspicion of bias, ought to give to your representative. It will therefore be sufficient that I attend you in such time before the election as will enable me to know your farther pleasure.

"I have the honour to be, Gentlemen, with a full sense of your confidence and favour,

"Your obedient servant,

"JOHN PHILPOT CURRAN.

"*Stephen's Green, October* 8, 1812."

hearers that the long train of sufferings which Ireland had endured for centuries had originated in the dissension of her people, and that whatever of them remained could only be removed by mutual toleration. "Under this sad coalition of confederating dissensions, nursed and fomented by the policy of England, this devoted country has continued to languish with small fluctuations of national destiny, from the invasion of the second Henry to the present time. And here let me be just while I am indignant; let me candidly own that to the noble examples of British virtue, to the splendid exertions of British courage, to their splendid sacrifices, am I probably indebted for my feelings as an Irishman and my devotion to my country. They thought it madness to trust themselves to the influence of any foreign country; they thought the circulation of the political blood could be carried on only by the action of the heart within the body, and could not be injected from without. Events have shown you that what they thought, was just; and that what they did, was indispensable: they thought they ought to govern themselves—they thought that at every hazard they ought to make the effort—they thought it more eligible to perish than to fail; and to the God of Heaven I pray that the authority of so splendid an example may not be lost upon Ireland."

After describing the condition of Ireland subsequent to the revolution, Mr. Curran continued:—"At length, in 1782, a noble effort was made, and deathless ought to be the name of *him** that made it, and deathless ought to be the gratitude of the country for which it was made—the independence of Ireland was acknowledged. Under this system of asserted independence, our progress in prosperity was much more rapid than could have been expected, when we remember the conduct of a very leading noble person upon that occasion—never was a more generous mind or a purer heart—but his mind had more purity than strength. He had all that belonged to taste, and courtesy, and refinement; but the grand and the sublime of national reform were composed of colours too strong for his eye, and comprised an horizon too outstretched for his

* Mr. Grattan.

vision.* The catholics of Ireland were in fact excluded from the asserted independence of their country. Thus far the result comes to this, that wherever perfect union is not found, complete redress must be sought in vain.

Passing on to the Union, Mr. Curran proceeded—"The whole history of mankind records no instance of any hostile cabinet, perhaps even of any internal cabinet, actuated by the principles of honour or of shame. The Irish catholic was therefore taught to believe, that if he surrendered his country he would cease to be a slave. The Irish protestant was cajoled into the belief, that if he concurred in the surrender, he would be placed upon the neck of an hostile faction. Wretched dupe!—You might as well persuade the gaoler that he is less a prisoner than the captives he locks up, merely because he carries the key in his pocket. By that reciprocal animosity, however, Ireland was surrendered; the guilt of the surrender was most atrocious—the consequences of the crime most tremendous and exemplary. We put ourselves into a condition of the most unqualified servitude—we sold our country, and we levied upon ourselves the price of the purchase—we gave up the right of disposing of our properties—we yielded to a foreign legislature to decide whether the funds necessary to their projects or their profligacy should be extracted from us, or be furnished by themselves; the consequence has been, that our scanty means have been squandered in her internal corruption as profusely as our best blood has been wasted in the madness of her aggressions, or the feeble folly of her resistance. Our debt has accordingly been increased more than tenfold—the common comforts of life have been vanishing—we are sinking into beggary—our poor people have been worried by cruel and unprincipled prosecutions, and the instruments of our government have been almost simplified into the tax-gatherer and the hangman. At length, after this long night of suffering, the morning star of our redemption cast its light upon us, the mist was

* The person here alluded to was obviously the late Earl of Charlemont; but though that nobleman originally opposed the claims of the Roman catholics, he had the honour in his latter years of rising above his early prejudices; he has also made Ireland amends for the delay, in having left a representative of his house, and of his more matured opinions, from whom all that his country can demand is that *he* may never change his present principles and conduct.

dissolved, and all men perceived that those whom they had been blindly attacking in the dark were in reality their fellow sufferers and their friends. We have made a discovery of the grand principle in politics, that the tyrant is in every instance the creature of the slave—that he is a cowardly and a computing animal—and that in every instance he calculates between the expenditure to be made and the advantage to be acquired. And I therefore do not hesitate to say that if the wretched Island of man, that *refugium peccatorum*, had sense and spirit to see the force of this truth, she could not be enslaved by the whole power of England. The oppressor would see that the necessary expenditure in whips, and chains, and gibbets, would infinitely countervail the ultimate value of the acquisition; and it is owing to the ignorance of this unquestionable truth, that so much of this agitated globe has, in all ages, been crawled over by a Manx population. This discovery Ireland at last has made. The catholic claimed his rights—the protestant generously and nobly felt as he ought, and seconded the claim; a silly government was driven to the despicable courage of cowardice, and resorted to the odious artillery of prosecutions—the expedient failed: the question made its way to the discussion of the senate—I will not tire you with the detail. An house of commons who, at least, represented themselves, perhaps afraid, perhaps ashamed of their employers, became unmanageable tools in the hands of such awkward artists, and were dissolved; just as a beaten gamester throws the cards into the fire in hopes in a new pack to find better fortune."

A little farther on Mr. Curran, again adverting to the circumstances of the election, was interrupted by the other candidate's agent: when that person was made to sit down, Mr. Curran resumed. "I do not wonder at having provoked interruption when I spoke of your borough. I told you that from this moment it is free. Never in my life have I so felt the spirit of the people as among you; never have I so felt the throbs of returning life. I almost forgot my own habitual estimate of my own small importance; I almost thought it was owing to some energy within myself, when I was lifted and borne on upon the buoyant surge of popular sympathy and enthusiasm. I therefore again repeat it, it is the moment

of your new birth unto righteousness. Your proved friends are high among you—your developed enemies are expunged for ever—your liberty has been taken from the grave, and if she is put back into the tomb, it can be only by your own parricide, and she must be buried alive.

"Ireland (said he, towards the conclusion of his address) can do more for herself now than she has done for centuries heretofore. She lay a helpless hulk upon the water; but now, for the first time, we are indebted to the protestant spirit for the delicious spectacle of seeing her equipped with masts, and sails, and compass, and helm; at length she is sea-worthy. Whether she is to escape the tempest and gain the port, is an event to be disposed of by the great ruler of the waters and the winds. If our voyage be prosperous, our success will be doubled by our unanimity; but even if we are doomed to sink, we shall sink with honour. But am I over sanguine in counting our protestant allies? Your own county gives you a cheering instance in a noble marquis,* retiring from the dissipation of an English court, making his country his residence, and giving his first entrance into manhood to the cause of Ireland. It is not from any association of place that my mind is turned to the name of Moira—to name him is to recognise what your idolatry has given to him for so many years; but a late transaction calls for a word or two. I thought anxiously upon it at the time, and from that time to this, if he required to be raised, he must have been raised in public opinion by the event of that negotiation.† He saw

* The Marquis of Downshire.

† Mr. Curran had a few weeks before, in an equally public manner, discountenanced the angry feelings with which he found some of his countrymen had regarded the conduct of his noble friend in the recent negotiations for a new administration. At a public dinner given in Dublin to the Bishop of Norwich by the friends of religious freedom, and attended by many, the most distinguished for rank and talents in Ireland, Mr. Curran, in addressing the meeting, enumerated the several illustrious persons in the empire, who supported the cause which they were that day celebrating:—"But," said he, "I have not yet mentioned the name, which I was delighted to see you were on the tiptoe of expecting, and which, in whatever order it might be mentioned, you had in your own minds placed in its natural station, at the head of the list—the beloved child of Ireland—the ornament, and consoler, and intrepid defender of his country—the scholar of the camp—the philosopher of the senate—the exalted devotee of that high and unparlying honour, that will bend to no consideration of life, or death, or country, or even of fame; that man who of all others most distinctly sees into your

that the public in either country could not have any hope from an arrangement, in which the first preliminary was a selfish scramble for patronage, that must have ended in a scramble for power; in which the first efforts of patriotism were for the surrender of mop-sticks in the palace; to sink the head, and to irritate the man that wore the crown, instead of making their first measure a restitution of representation to the people, who, if they were as strong as they ought to be, could have nothing to apprehend from the tinsel of a robe or the gilding of a sceptre.

" Little remains for me to add to what I have already said. I said you should consider how you ought to act—I will give you my humble idea upon that point. Do not exhaust the resources of your spirit by idle anger or idle disgust—forgive those that have voted against you here—they will not forgive themselves. I understand they are to be packed up in tumbrils with layers of salt between them, and carted to the election for the country, to appear again in patriotic support of the noble projector of the glories of Walcheren. Do not envy him the precious cargo of the raw materials of virtuous legislation—be assured all this is of use.

" Let me remind you before I go of that precept, equally profound and beneficent, which the meek and modest author of our blessed religion left to the world: ' and one command I give you, that you love one another.' Be assured that of this love the true spirit can be no other than probity and honour. The great analogies of the moral and the physical world are surprisingly coincident; you cannot glue two pieces of board together unless the joint be clean; you cannot unite two men together, unless the cement

character—your ardent, generous—do not be angry with me—your tender and excitable sensibility—your feather-springed disposability to affectionate and momentary jealousy, which evaporates in the breath that expresses it. He knows it well—he loves you for it—he knows the rapid contrition of its recoil, but he ought not to be wounded nor you humiliated by any formal ceremonial of that contrition. (*Loud applause.*) But I find I am not so bad a painter as I thought; you have made it unnecessary for me to put the name over the picture. May I be permitted to add, that although I have not been altogether unhonoured by some condescending notice from that illustrious and noble person, yet I am too proud to be swayed by any feeling which, if merely personal, must be despicable, and that it could not add a single pulsation to that energy of affection and respect, with which my heart clings to him as an Irishman."

be virtue; for vice can give no sanction to compact, she can form no bond of affection.

"And now, my friends, I bid you adieu, with a feeling at my heart that can never leave it, and which my tongue cannot attempt the abortive effort of expressing. If my death do not prevent it, we shall meet again in this place. If you feel as kindly to me as I do to you, relinquish the attestation which I know you had reserved for my departure. Our enemy has, I think, received the mortal blow; but though he reels, he has not fallen; and we have seen too much upon a greater scale of the wretchedness of anticipated triumph. Let me therefore retire from among you in a way that becomes me and becomes you, uncheered by a single voice, and unaccompanied by a single man. May the blessing of God preserve you in the affection of one another."

The following letters contain Mr. Curran's farther views upon the state of public affairs in Ireland at this period:

"TO SIR J. SWINBURNE.

"SIR,

"I have just received the honour of your letter. I am very deeply, indeed, impressed by the honour of being thought by the committee not unworthy of the office of steward, at the meeting of the friends of religious freedom.

"If there were no obstacle in my way, but what was within my own control, most promptly, and with pride and gratitude, would I obey so flattering a summons; but the difficulty is what it does not belong to me to dispense with. The court of Chancery will be sitting on the day of your meeting, and I could not be warranted in leaving my duty here, from any impulse, however strong, of personal gratitude or respect. I cannot look forward to any probable state of the court, that can leave me to my own disposal; but if such should occur, I shall certainly wait upon you. I am, however, not a little consoled in the reflection, that my absence from such a scene can be regretted only by myself, and that my presence could contribute little, or rather nothing, to the intended result. The sanc-

tion of the illustrious personages, who vouchsafe to patronise the meeting, must do much towards its object; and much also must be effected by the high rank and character of others, who I make no doubt will be zealous in following such an example, when the projects of intolerance are disclaimed by the authority of the enlightened and exalted; and when the great mass of the people are permitted to see what cannot be difficult in so reflecting a nation as England, that the cause of tolerance is really that of justice, and prudence, and true Christianity, in which they themselves are as deeply interested as their fellow-subjects can be. It is not, I trust, too sanguine to hope that practical bigotry must be driven to take refuge in flight; and that the empire may look forward to the adoption of such just and beneficent counsels as must ever compose the only certain basis of internal tranquillity, and of external safety. I know, Sir, you will perceive that I allude principally to this part of the empire. I have passed not a short life in it; my notions respecting it are the fruit of long observation of it, both in and out of parliament; and so deeply are these ideas graven upon my judgment, that upon a late occasion I was willing to forego every consideration of much labour passed, of advancing years, and declining health, and to undertake the duty of once more sitting in parliament. I could have no motive of ambition, or of party, or view to reputation; I looked not to be an advocate for my country, but I did venture to hope that a man so perfectly removed from all temptation to partiality, and with so much opportunity of knowledge, might be received as not an incredible witness, in point of fact, for this afflicted island. And from the discharge of so sacred a duty, I thought it would have been most unworthy to affect to excuse myself upon any etiquette of office, when the law had declared no incompatibility between official and public duty. I did think, and I yet think, that if the real state of this country be fairly and fully impressed upon the parliament and the public, it must appear to demonstration, that the hopes and the fears of the two parts of the empire are one and the same; that it is the critical moment in which every thing ought to be done to oppose the embankment of a consolidated nation to the hostile torrent, instead of leaving it even a chance of admission through the interstices of an incohering

and porous population; and that those high persons, who saw things a year ago in this point of view, and were then willing to devote themselves to the public service, may, upon further consideration, think that the obstacles which then prevented their intention ought not for ever to deprive their country of the benefit of their virtue or capacity to serve it. Such an event as I allude to, they may be assured, would have a most consoling and cheering effect upon Ireland, because we should look with confidence to their acting upon that noble and conciliating principle of religious freedom, which has raised your illustrious patron, and those who think as he does, so high in the reverence of all men; they would be sure of retrieving Ireland from a state of suffering and peril; they would be sure of finding a co-operation in every honest Irishman infinitely superior to the zeal of party, or of sect, and founded on the pure devotion of public duty and public spirit. And it would convey to the heart of a loyal and ardent people a conviction that they were yet of value in a quarter where their fondest hopes and affections had been fixed for years. But I fear my solicitude on this subject has led me to intrude farther than I had intended upon your attention. Permit me, therefore, only to request that you will be pleased to accept my cordial thanks for the courtesy of your communication, and to present my humble respects to the committee.

"I have the honour to be, Sir, &c.

"J. P. CURRAN."

TO HIS ROYAL HIGHNESS THE DUKE OF SUSSEX.

"I cannot, Sir, express the pleasure with which I learn that the sanction of your illustrious rank and your great name are given to that noble principle of religious freedom, and that upon a ground perfectly distinct from all view whatsoever of political party. The relation in which you stand with respect to your country, and your august house, must remove all pretext for soiling our pure and modest religion, by blending it with the sordid spirit of party; or of advancing the projects of the latter, by an affected association with the former, in which heaven cannot be either interested or

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honoured, and in which the true principle of political wisdom and social virtue cannot fail to be degraded and depraved. Never, perhaps, have the fatal consequences of this monstrous union been more sadly proved and developed than in the late few years that we have passed; and more especially in this ill-fated country. In England your dissenters were pressed sorely enough by disabling and excluding statutes; but still the sharpness of those legal monopolies went rather against their interest than their honour. Still they were equal as Englishmen; and though shut out, perhaps very unwisely and very unjustly, from a part, and certainly no inconsiderable part, of the constitutional precincts of their country, they still had the uncontrolable range of the residue as freely and proudly as any other portion of the land; they had to complain of suffering rather than stigma or shame. With respect to other religious descriptions of sects, very unworthy indeed to be classed with dissenters—the strange combinations of persons connected together by the fantastical adoption of wild and extravagant opinions, much easier to be named than to be understood, England seems to have acted with the policy that might be expected from a discreet and thinking nation. You have most judiciously cut off the supplies, that martyrdom would have given them in their meek and ardent campaign against the sobriety and decorum of true religion. Your established clergy have stinted them in that food which refutation gives to folly. They have had too much good sense, and too much sound consideration for their sacred functions, to enter the lists of argument with these learned cobblers, and right reverend blacksmiths. However they may have been mortified by the scandal of their orgies, they have had forbearance enough to leave their diseases to cure themselves, and to consign them to the wholesome and cooling regimen of silent commiseration and inflexible neglect. The law has followed the example of the church, and refused the honours of the pillory or the stake to the adventurous aspirants; and to this concurrence in good temper and good sense may it be attributed, in a great degree at least, that these contraband dealers and inventors of unheard-of forms of doctrine, and patterns of tenets, have not been still more successful in superseding the good order and sobriety of the national faith and practice.

I should have hoped that this concurrence was founded on the adoption of a maxim, that forms the basis of that principle so fortunately adopted by your Royal Highness, the inviolability of religious freedom. But deeply concerned am I to see, that however acted upon in England, it has not been pursued in Ireland with the same dignity and temper. In saying this I do not mean to impute absolutely bad intentions to any party, or to say that neither has been betrayed into any step that may call for censure or regret; but I do think that in our late, or rather our present, unhappy conflicts here, a manifest distinction might be made. The catholic was petitioning for a repeal of certainly very afflicting grievances, and it would be only fair to make some allowance for the tone and phrase in which he might utter what came simply to this:—'I am in bondage without having committed any crime. My degradation and suffering are justified by the most cruel imputation on my character and honour, and I humbly pray to be set at liberty.' If a man were to utter such an appeal with insolence or outrage, I do not say he ought to be kindly heard; but if he felt the right to freedom so coldly as to prefer his claim with an apathy that must freeze it, I should not hesitate to say, he ought not to be relieved; he has not yet arrived at that impatience of slavery, without which he cannot be yet ripe for freedom. I cannot, therefore, avoid saying that the mere ardour of the catholics, in the pursuit of an object far more valuable than life, without which life could be of no value, was not a just ground for suspecting that their meeting to petition was a mere pretext to cover any other or any criminal design. The rank and property of the persons, which made them so firmly responsible to the state, should, I think, have repelled such a suspicion, and particularly when sanctioned by so numerous a co-operation of their protestant fellow-subjects. I do not say that the government might not have intended well, or that a most unhappy mistake was any other than an error of judgment; but I do think that when the subsequent conduct of the people had proved their innocence beyond all doubt, a milder and more conciliating conduct might have been adopted with equal dignity and wisdom. But I fear a province is a bad school for a statesman to learn that the essence of dignity consists much more in rest than in action. It has not

been so, and the consequence has been a state of trouble and fermentation, such as I never before witnessed in Ireland. Crimination and recrimination have gone to an extent on all sides, most deeply to be deplored by every man who wishes well to Ireland or the empire. The discussions of those unhappy questions have been carried on in the shape of criminal prosecutions; of proceedings that never should be resorted to, except in cases of real guilt, and never as political measures of aspersion or counteraction. The result has been—No culpable intention whatsoever has been proved; no project has been defeated; the purity of the administration of justice itself has been exposed by the unhappy indiscretion of giving ground for actions, and the readiness of bringing forward prosecutions, in which every judgment and verdict for them has been a public calamity, by sinking them in the public opinion, and leading the people to entertain an idea, which I trust can never be true, that even the judicial authority may be degraded to an instrumentality to the state. A man of any party but that of public tranquillity and safety would probably speak a language very different from what I am holding to your Royal Highness. But my mind is profoundly impressed with the actual suffering and awful possible danger of such a state of things, which is not at all diminished by the real innocence of intention, which I am ready to concede to all parties. It is not the guilt of the parties, it is the fact of the conflict in which the peril consists. It was from this view of things, though not then so sadly matured as they are at present, that I was most anxious, a year ago, that the arrangement then proposed might take effect: every aspect of things seemed to indicate such an event as most practicable, and most salutary. The resolution of the house of commons seemed to point it out as a measure of inevitable necessity: the exalted magnanimity of an illustrious personage relinquishing every personal consideration, gave it complete facility, and that in a way the most endearing to the Irish people, by showing that his mind was perfectly untainted by bigotry. Strange indeed would it be, if an individual of the first taste in England could be so tainted; for what is taste but the moral instinct of an highly cultivated understanding? The great talents and character of the noble persons concerned was a pledge to the empire of what might

be expected from the measure. It held out an hope of friendly adjustment with America, instead of forcing her unnaturally into the ranks of our enemies, and driving her to waste her young blood in battle, instead of preserving it for growth; instead of recollecting that she might be destined to be the cradle of an Hercules, who, even in his infancy, was doomed to crush the snakes of despotism, and whose full-grown labours might be reserved, by the extripation of monsters, to form a new system for freedom in the west, even after it had been banished, like the Americans themselves, from the east. It gave us at least an additional hope of an interval to breathe, by a peace with France; an event made probable by the known opinions of those noble persons upon the subject; and made still more probable by the incalculable addition to the actual force of the empire, in the perfect conciliation of Ireland, which they, and, I much fear, they alone, could be likely to effect; but in these prospects we were destined to be disappointed. Upon the cause of this failure there was a variety of opinions, but there was a perfect concurrence in the feeling, that it was a great misfortune to this nation: it doomed us to a continuance of disquiet, and an increase of burdens and of dangers; yet we did not hastily give up the hope that the difficulties might be yet got over. Nor can I now conceive how it is possible for those noble persons to allow the weight of a feather to those difficulties, when they see that every event that has happened from that hour to this is flung into the opposite scale, and is a call upon them to come forward and do their duty to their country.

"As an Irishman I own my heart sunk when all hope was at an end of seeing our favourite countryman* return to his native land, bearing the olive branch; the only man who seemed peculiarly designated for the great work of conciliation; but even from the lip the cup has been dashed—the grating upon the mountain of Ararat was a delusive omen of the subsiding of the waters; and our miserable ark is still tossed, not upon a sinking but a rising and more angry flood. My own concern, at that time, did not spring from any personal bad opinion of the ministers; I gave them then.

* The Earl of Moira.

and I give them now, full credit for perfect good intention. Indeed, I can scarcely conceive the possibility of a public man's having the heart not to intend most conscientiously for the best; but I could not avoid seeing that the vote of the house was a sort of presentment against them by the grand inquest of the nation; and that the readiness of their master to dismiss them was a full confirmation of the public opinion, that it was a blight under which, if they did not die, they must dwindle; and that their acts and their language could not but correspond with a diminished stature. They have verified their sad foreboding, peculiarly with respect to America and to Ireland; their tone and style has been undignified, peevish, and exasperating, sophisticated and insulting. What else have been their orders in council? 'The French are abusing your rights on the sea, we will retaliate by abusing them also:—the highwayman robs you of half your property, we will retaliate upon the highwayman by robbing you of the other half.' But this is a subject, perhaps, beyond my depth, and upon which my reasonings may be partial. There are many sad analogies that give us a deep and tender interest in the fate of that country. We cannot forget the fresh and daily increasing ties that bind us to them as brothers, or children, or kindred. An American war can never be popular in Ireland; and the same causes that make it impossible for us to be their enemies, make it improper to be their judges. My mind, therefore, returns to home, the natural scene of every man's immediate solicitude. Upon this subject, to almost any other person than your Royal Highness, I should have much to say. To you, Sir, I know how absurd it would be to affect to give information. The feeling and the splendid part which you have been pleased to take in our interests and our sufferings proves to us, not only how perfect a knowledge of them you possess, but also how much a patient and impartial judgment can contract questions which blindness and passion had dilated and perplexed, and to what a salutary degree you have been successful in simplifying the real objects to which the attention of the two countries ought to be confined. Any longer trespass upon your Royal Highness' patience can go no further, therefore, than very passingly to advert to the progress which I hope has been made in the happy work of conciliation.

"I think the good sense of England must now see, that the habits of reasoning and acting in Ireland are not to be judged by the interested and distorted misrepresentations that have been made of this country during centuries past. I understand with pleasure that those historical topics of abuse, which caught the public attention for some time, are now spurned or laughed at, as the venemous and silly effusions of reading without learning, or learning without knowledge; the real heads of inquiry are now plain. I know some weight was once given to the distinction, that mere exclusion was not privation. I believe there is now no rational man who does not see, that when it is justified upon the most degrading imputations, it is the bitterest of all privations, because in the same moment it takes away the privilege of the subject and the character of the man.

"It has been said, 'it is dangerous to give power to the catholics as long as this objection was undefined.' This acted upon the nerves of, I am sure, many good men; but it could not but cease to do so, when they reflected that nothing like power was sought or intended to be given. Mere admissibility is nothing like power; mere admissibility can no more make a catholic a gauger than it can make him a king. I am admissible to be Lord Chancellor of England; but would not any man in his senses imagine I had escaped from Bedlam if I called such admissibility by the name of power? It was said, that emancipation would lead to attempts upon our establishments. It is not surely difficult to see that establishments can be altered or destroyed only by law or by force.

"As to law, the danger comes exactly to this; whether a few catholic members could succeed in making proselytes of king, lords, and commons, so as to subvert the protestant church? I confess, Sir, that is not my opinion of our catholic gentry; if they became senators I suspect their ambition would have very little to do with religion, and that they would be seen going forth with the minister of the day, as well as their protestant brethren, in the mildest spirit of patriotic toleration.

"As to brutal force, I can't see that admissibility to sit in the house of commons could be an inducement with any man to burn it. I cannot comprehend how giving men those interests in the state,

without which no state can have any real value in their eyes, can increase their wish any more than their power to destroy it. I have heard of common sailors making off with the ship and cargo, but never of the proprietor joining in such an act. I never heard even of an Irish gentleman robbing himself and running away. If they are then asked—what do we solicit, and what can they give us? I cannot doubt that a generous nation will feel no little pain in being obliged to answer—'We cannot give you power, nor place, nor wealth; we cannot undo the sad consequences of continued oppression; we cannot restore you in a moment to national health; the most we can do is to remove the actual malady in which you have been so long consumed; and to put you into a state of possible convalescence, in which the progress, at the best, must be hectical and tardy.'

"I know the hopes of some men are damped by the petitions against us. My hope is, that they are favourable to us; when the motives and the means of procuring them are considered (and they cannot be unknown) they cannot fail of kindling a condign detestation of those who can resort, for any human object, to such obdurate and remorseless guilt, as that of exciting man against man: of loosening those bonds that should bind the subject to the state, and poisoning the sources of that christian benevolence that ought to be the consolation of nations under those sufferings with which it has pleased Providence to permit almost the whole civilized world to be afflicted; nor can I deem it possible that so just a detestation of the oppression should not lead to a proportional sympathy for the sufferers. As to the petitions from ourselves, we know they are the natural consequences of our condition; they are much stronger proofs of deplorable prostration than of real malice; and happy is it for the quiet of Ireland, that they are so considered. When Verres was accused for his frightful mal-administration in Sicily, a counter-petition was obtained; and if I forget not, at the head of the deputation who came to implore that no mercy should be extended to him, was advancing to the senate, an illustrious Sicilian, who had himself been the most distinguished victim of what authority may perpetrate in a province. I cannot imagine that the display of such a spectacle could do injury to the cause of

the unfortunate supplicants; nor can I think, that if the Irish catholic were now put upon his trial before an impartial tribunal of the English nation, his accusation weighed against his defence, his friends against his enemies, his conduct against his treatment; I cannot doubt that in such a situation, his character and claims would be so felt, that he might boldly say, 'I would to God that not only you, but all those that hear me this day, were both, almost and altogether such as I am, except these bonds.' I cannot, sir, in regard to the duty of perfect candor which I owe to your Royal Highness, avoid saying that the wild spirit of aggression which of late time has raved among us, has miserably reduced the respect in which every good government cannot fail to be held. These contests for dignity, without doubt, have been most disastrous. Alas, sir, I much fear that dignity is a robe which he, that will box for it, must lay aside during the conflict, and there is great risk that when he has been soundly threshed, he may find, like Strap, that it has been taken away during the battle by the honest gentleman who undertook to keep it.

"But, sir, the baleful effects of this violence cannot stop here. It is too visible that manners, and morals too, must become ferociated; so that there can be no doubt, that if good sense and feeling shall not make the edge of authority more blunt, necessity must soon make it sharper even than it is. If the rider will not sit quietly on his saddle, but will hold his seat by grappling the sides of the animal with his spurs, he cannot avoid changing to a bridle of no ordinary force. No other way can remain for restraining the madness he provokes. This, sir, in my conscience I am convinced is the state of this country: things cannot stay as they are; temporizing palliatives will not avail; it will answer no end to draw upon our great grandsons in favour of the great grandsons of the catholics, for liberty to be granted in the course of the next century.

"Mean time, for I more than feel how much I have passed the limits, I cannot but hope the best effects from the principle of religious freedom, which you are pleased to protect, and of which you will be so powerful a patron, and so bright an example.

"Be pleased, sir, to accept my humble thanks for your condescending wish, that I should have the honour of being present at the

meeting of the friends of such a principle; as I find it is not to be immediate, I do not altogether give up the hope of being present, but, present or absent, it will have my most devout prayers for its success. I have the honour, sir, to be, with the most profound sense of attachment and respect,

" Your Royal Highness' dutiful servant,

" J. P. C."

CHAPTER XVII.

Mr. Curran's health declines—Letters to Mr. Hetherington—Resignation of his judicial office—Letters from London to Mr. Lube—Letters from Paris to the same—His last illness and death.

In the beginning of 1813, the declining condition of Mr. Curran's health obliged him to meditate the resignation of his judicial office. While he was in London in the month of April of that year, he suffered a severe attack of inflammation in his chest. His illness, though by no means dangerous, was a subject of considerable alarm to his mind, in consequence of an old but unfounded opinion that his lungs were naturally weak; a mistake into which he had been led from confounding the temporary hoarseness and exhaustion which usually followed every great exertion in public speaking with a constitutional debility of that organ. There is something characteristic in his manner of announcing his illness upon this occasion to his friend in Dublin.

"TO R. HETHERINGTON, ESQ.

"DEAR DICK,

"Really I think rather an escape—I have been confined to my bed these ten days; a violent attack on my breast—lungs not touched—better now, but very low and weak. I can't say with certainty when I can set out. Will you let Mr. Lockwood (or if he is not there, the Chancellor) know my situation; a wanton premature effort might kill me.

"J. P. C."

"TO THE SAME.

"DEAR DICK,

"I had hoped a quicker recovery, but the fit was most severe. I thought to have put myself into a chaise to-morrow, but the physicians says it might be death, unless deferred some

days longer. The malady was upon the breast; I think I caught it by walking from Kensington—the morning was snowy and the wind east. I had not even gone to a play but once—I am most uneasy at this absence from court, however involuntary. I have written to Lord Manners. I have no news; nothing could be kinder, or more general than the flattering reception I have met. Still I am not acting like a dying man. Surely I could not prepare to dance out of the world to a grand forte-piano; yet they talk of such a thing. The town is also full of rumours of a silver tea-pot, &c. &c.* What can all this mean? Doesn't it show a regard for our executors? My best regards to all about you, and with you.

"J. P. C."

Mr. Curran was in a little time so far recovered as to be able to resume his judicial functions. In the long vacation he returned as usual to England, from which he writes as follows.

"TO RICHARD HETHERINGTON, ESQ. DUBLIN.

"Cheltenham, September 3, 1813.

"DEAR DICK,

"You ought to have heard from me before; I have been a truant; however, in fact I had little to say: I am here now ten days. I took the waters; as usual, they bore down whatever spirits I had to lose. Yesterday I went to the doctor; he told me I had taken them wrong and was wrong in taking them; that I had no symptom of any disease whatever; he mentioned also, in confidence, that notice had been taken of my intimacy with Mrs. Forty; that there were some ladies not far from the well, strangers altogether to my poor dear, in whom religion had turned from milk, and soured into vinegar; who had little hope of being talked ill of themselves, and who made it a moral duty to slide themselves in upon the market jury of every character, and give a verdict against them upon their own knowledge; particularly if there were any

* When Mr. Curran was confined to his bed and suffering considerable pain, he could not abstain from the same playfulness. His medical attendant having observed one morning, that he found he coughed with more difficulty than on the preceding evening—"That's very surprising," replied the patient, "for I have been practising all night."

circumstance that made it an act of common mercy, in those canters of slanderous litanies, to be silent or merciful. 'My dear sir,' said he, 'let not women complain of their injuries from men, when they are such odious beasts in devouring one another.' In truth, my dear Dick, it is frightful to see how little they can spare their friends, when they can make them the pretexts for venting their infernal malice. I confess it has added to my sickness of heart against that country,* of which I have really deserved so much.

"You can scarcely believe what a difference I find here—courted and cherished by strangers; I assure you the question of celebrity between the royal tiger and me is not quite decided. The change of scene is amusing, so is the diversity of characters; there is a moral benefit in the change of scene; you look back to the niche you filled and you see it not: how minute then must be the little thing that filled it? Here too every body is as intimate with me as I permit. I really begin to think that the best tenure of earthly attachment is tenancy at will. You have the use of the soil, and the way-going crop; then nothing you plant shoots so deeply but you may remove it without injury to the soil or to itself. If affections strike their roots far into the heart, they cannot be pulled up without laceration and blood. I am not without an idea of cutting you altogether: I could easily get into parliament and on my own terms, but the object would not justify a purchase; and I need not tell you, I would not submit to restrictions.

"You will be surprised when I tell you that I have the highest authority for knowing that the silly malice of the Castle has not had the smallest impression on a certain high quarter. As I have jilted Mrs. Forty, my head is getting better, and I shall try and write. I may as well stay here sometime as any where else: I am afraid of London; however, I can't but pay a visit to the Duke of Sussex. Will you enclose "Wagram"† to Mr. Reeves, and add

* Ireland: the censorious ladies in question were his countrywomen.

† The title of the following lines composed by Mr. Curran.

COUNT ROLLO, TO HIS SERENE HIGHNESS THE PRINCE OF WAGRAM.

Wag, Prince of Wagram, prince of dogs,
Of man the friend, the foe of hogs;
When fast'ning on the flapping lug,
The more they squeak, the more you tug;

my respects, and request that he will have the goodness to forward it to me to Cheltenham. The post is just going out—write to me

And sweet to alderman as custard,
You cranch the gristle without mustard.
The justice grave, that looks so big,
With midnight brow, and snowy wig,
Say, Wagram, can the sage compare
His artful with thy artless hair?
The locks that hireling hands can spread
For lucre vile on viler head,
With those that heaven on thine can shed?
Fain would he look as if he thought,
But if he thinks, he thinks of nought
But ill-used power, or un-used pelf,
Or fame known only to himself.
Oh! how his vanity might brag
Were he but fair and just as Wag.
The courtier beast on hinder legs,
Like you that fawns, like you that begs;
But, Wag, can he compare with you
For faithful love, and friendship true?
Let but the patron feel the blast
Of veering fate, how soon is past
The felon faith, the slip-knot vow;
Where is the perjur'd courtier now?
Has the poor patron raised one foe
Whose ruthless rage would crush him low?
Go seek, and you'll be sure to find
Th' apostate parasite combined
With that one foe, and prompt to lend
His aid to sink a sinking friend;
Oh Wag, how different far from thee,
Should sun-tide smiles thy mistress flee,
Should wayward fortune learn to frown,
And all she promised once disown;
Tho' every hope became a rag,
Still thou'd'st be faithful, honest Wag.
Behold the bigot s fiery face!
His heart of gall, his leer of grace,
That grace by which to him is given
To scan the politics of heav n;
O'er man to wave the vengeful rod,
And hate him for the love of God;
That boasts from heav'n the mystic spell,
But reads it by a light from hell.
No generous science lights his mind;
There all is shapeless—all is blind,
No social love his bosom warms,
There pow'r alone, or interest charms,
Each wild extreme by turns he owns,
He crawls a slave, a tyrant frowns;
As still by changing winds he's driven,
Abhorred by man—accursed by heav'n.
Well pleased, O Wag, I turn to thee,
From all those abject horrors free.

by return; best regards to the hill. I begin to think that 'compliments to all *inquiring friends*' generally dwindles into a sinecure. What of the poor Priory? we have passed some happy and innocent days there. God bless you, dear Dick, prays very sincerely yours.

"J. P. C.

"P. S. These senators are in bed, or this should pass more free than I have ever been able to do."

TO THE SAME.

"DEAR DICK,

"My last was in spleen and haste; this is a postscript. I can scarcely add what I should have said, because I forget what I did say; no doubt I was too vain not to brag of the civility I have met, and consequently of the good taste of every body. Did I say any thing of the Italian countess, or the French count her uncle, whose legs and thighs are turned into grasshopper springs by a canister-shot at the battle of Novi? She talks of going westward; as Irish scandal does not talk Italian, and as she can't speak English, she may be safe enough, particularly with the

Perhaps thy intellectual span
Is somewhat less than that of man;
Thy gifts like his are not abused,
Thy gifts are ever fairly used.
What nature orders you obey,
Nor ever deviate from her way,
Alas! how steadier far than I,
You work, you eat, you sleep, you die.
Another word I've just to say,
And then the Muse gets holiday;
There's mistress, and there's Master Dick,
Will spend with me their Christmas week,
And Betty B. of virgin fame,
And Marg'ret say they'll do the same.
But what avails what they may do?
It can't be Christmas without you.
Come, then, we'll form our Christmas plan,
In mutual kindness on we'll jog:
You'll grieve that I was born a man,
And I'll rejoice that you're a dog.

assistance of a Venetian blind! Dear Dick, God help us! I find I am fast recovering from the waters; I think I'll drink no more of them; my nerves are much more composed, and my spirits, though far from good, are more quiet. Why may not the wretch of to-morrow be happy to-day? I am not much inclined to abstract optimism, but I often think Pope was right when he said, that 'whatever is, is right,' though he was perhaps too shallow a moralist to know, not why he thought so, but why he said so; probably 'twas like your own poetry, he made the ends of the lines jingle for the sake of the rhyme.

"Apropos of jingle. I forgot, I believe, to beg of you to send me two copies of 'Oh Sleep!' I wrote it for Braham. I suppose the air not correctly.*

"Did I beg of you to see and to direct James as to the erections at the barn? don't forget it; because, perhaps, I may see the Priory once again. I dreamt last night of your four-horse stable, and I was glad to find all well.

"You can scarcely believe what a good humoured compromise I am coming into with human malice, and folly, and unfixedness. By reducing my estimate of myself, every collateral circumstance sets out modestly on the journey of humility and good sense, from the sign of the Colossus to that of the Pigmy, where the apartments are large and ample for the lodger and his train.

*TO SLEEP.

O Sleep, awhile thy power suspending,
Weigh not yet my eye-lid down,
For Mem'ry, see! with Eve attending,
Claims a moment for her own.
I know her by her robe of mourning,
I know her by her faded light;
When faithful with the gloom returning,
She comes to bid a sad good-night.

Oh! let me here, with bosom swelling,
While she sighs o'er time that's past;
Oh! let me weep, while she is telling
Of joys that pine and pangs that last.
And now, O sleep, while grief is streaming,
Let thy balm sweet peace restore,
While fearful hope through tears is beaming,
Soothe to rest that wakes no more.

"Just as before, the post is on my heels; Richard has only time to put this in the office. I shall probably soon write more at leisure. Compliments at the hill: ditto repeated *shaking the bottle.*

"J. P. C."

"The Scotch indorser of this gave me my dinner yesterday; champaigne and soda. He votes with the minister. I gave a lecture, and got glory for rebuking a silly fellow that tried to sing an improper song in the presence of his son. 'Thunders of applause.'"

"TO THE SAME.

"Cheltenham.

"DEAR DICK,

"I have not been well here—these old blue devils, I fear, have got a lease of me. I wonder the more at it, because I have been in a constant round of very kind and pleasant society. To-morrow Sir Frederick Faulkener and I set out for London. I don't turn my face to the metropolis *con amore*, but the Duke of Sussex might not take it well if I did not call upon him—so I go, being at once an humble friend and a patriot. Low as I have been myself in spirits, I could not but be attracted with the style of society and conversation here, particularly the talents and acquirements of females—I am sorry to say, few of them our countrywomen. The vulgarity too and forwardness of some of our heroes quite terrible. On the whole, however, perhaps, I'm the better for the jaunt."

Early in the following year, in consequence of the still declining condition of his health and spirits, Mr. Curran resigned his judicial situation. Upon which the following address was presented to him by the Catholic Board:—

"TO THE RIGHT HONOURABLE JOHN PHILPOT CURRAN,

"SIR,

"The general board of the Catholics of Ireland feel it their duty to address you on your resignation of the high office to which your talents were called, and the duties of which you have discharg-

ed with the courtesy of a gentleman; the abilities of a lawyer; the dignity of a judge; and the characteristic integrity which has ever distinguished you. Taking a review of a life devoted to the service of your country, and the cause and interest of public and private liberty, we shall ever hold in proud and grateful remembrance the energy which you displayed in resisting oppression, and defending the rights of the subject and the constitution; the independent spirit with which you met the frowns and seductions of power; the intrepidity with which you vindicated your insulted and maligned country, and the sacrifices which you made at the shrine of public virtue. The freedom and privileges of your profession, so closely connected with those of the public, you upheld both at the bar and on the bench. The first flight of your juvenile genius was a noble and generous defence of an obscure, but respectable individual against a lawless assault of tyrannical power. You have uniformly opposed that bigoted, that baneful policy, which impiously tries the principles of man by his religious creed. You have maintained the great and sound principle of religious liberty. A just, a liberal, and an enlightened mind abhors the pernicious system of excluding from equal rights those who contribute equally to the support of the state with their property and their lives; a system which sacrifices the liberty of the country to protect the monopoly of a party, and which, by perpetuating division and discord, saps the foundation of all social intercourse. You, Sir, and the other illustrious advocates of Irish prosperity, are well aware that the total extinction of such a system is absolutely essential to the consolidation and permanence of the general strength of the empire. Permit us, therefore, Sir, to indulge our earnest hope, that your splendid talents, emerging from the eclipse of judicial station, and reviving under that name which has attached the hearts of your countrymen, will again be exerted in the service of Ireland."

MR. CURRAN'S ANSWER.

"GENTLEMEN,

"Be pleased to accept my warmest acknowledgments for this flattering mark of your approbation and regard. So far as

honesty of intention can hold the place of desert, I can indulge even a proud feeling at this proof of your good opinion, because I have no secret consciousness that can blush while I receive it. I have early thought that the mere fact of birth imposes, by the authority of God, a loyalty to country, binding the conscience of man beyond the force of any technical allegiance, and still more devoted and excusable. To our unhappy country I know that this sentiment was little better than barren; however, what I had I gave. I might have often sold her—I could not redeem her. I gave her the best sympathies of my heart, sometimes in tears, sometimes in indignation, sometimes in hope, but oftener in despondence. I am repaid far beyond my claim; for what reward can be more precious than the confidence and affection of those for whom we could not think any sacrifice too great? I am still farther repaid by seeing that we have arrived at a season that gives us so fair a prospect of better days than we have passed. When I view these awful scenes that are daily marking the interposition of Providence in punishment or retribution, that teach rulers to reflect, and nations to hope, I cannot yield to the infidelity of despair, nor bring myself to suppose that we are destined to be an exception to the uniformity of divine justice, and that in Ireland alone the ways of God shall not, in his good time, be vindicated to man, but that we are to spend our valour and our blood in assisting to break the chains of every other nation, and in riveting our own; and that when the most gallant of our countrymen return to us, laden with glory and with shame, we are to behold them dragging about an odious fetter, with the cypress and the laurel intertwined. On the contrary, I feel myself cheered and consoled by those indications, which inspire the strong hope that the end of our affliction is rapidly advancing, and that we shall soon be placed in a condition where we shall cease to be a reproach to the justice and wisdom of Great Britain. The calumnies of our enemies have been refuted, and have left no impression behind them, save a generous regret that they could ever have been believed. It is with no ordinary feeling of condonation and respect that we should hail the awaking of a nation, formed to be illustrious, from the trance of a bigotry that cannot be refuted, because it does not reason; that,

like every other intoxication, stupifies while it inflames, and evaporates only by sleep. It becomes us to congratulate on the recovery without retrospect to the time it may have cost. Within the short limits even of a year, the spirit of a just and liberal policy has assumed a station that scarcely could be hoped from the growth of centuries. That wise country has learned to see us as we are; to compare our sufferings with our merits and our claims; and to feel that every kind and tender sympathy that speaks to the heart or head of a man in favour of his fellow-subjects is calling upon her to put an end to the paroxysms of that gaol fever which must forever ferment and fester in the imprisonment of a nation, and to do it in a way that shall attach while it redresses, and bind a blended empire in the bond of equal interest and reciprocal affection. We are asking for no restorative; the legislature has none to give; we ask only for what is perfectly in its power to bestow; that deobstruent which may enable the human creature, even by a slow convalescence, to exert the powers of his nature, and give effect, by the progression of his happiness and virtue, to the beneficence of that Being which could not have permanently designed him for the sufferings or the vices of a slave. In your anxiety for the honour of the bar, I cannot but see an auspicious omen of your near approach to the possession of such a treasure that deserves so high a protection. Short is the time that has passed since you could not have adverted to that subject without a mixture of shame and anguish; but you can now resort to persons of your own religious persuasion for those great talents for whose purity you are so justly anxious. You are certainly right in thinking the independence of the bar the only unfailing safeguard of justice, and of that liberty without which justice is but a name. It is the equal protection of the people against the state, and of the state against the people. If Erskine had lived in the dark times of the second James, it might have saved his country from the pain of reading the events of those days, when the court could procure a bench, but the subject could not find a bar. It is with an emotion difficult to describe that I see how easily our hearts are betrayed into an exaggerated estimation of those we are disposed to love. You are pleased to bespeak the continuance of my poor efforts in the cause of Ireland. I cannot

without regret reflect how feeble they would be; but I am fully consoled in the idea, that they would be as unnecessary as inefficient. It is still no more than justice to myself to say, that if an opportunity should occur, and God be pleased to let it be accompanied by health, my most ardent affections would soon find the channel in which they had flowed so long. A devoted attachment to our country can never expire but with my last breath. It is a sentiment that has been the companion of my life: and, though it may have sometimes led to what you kindly call sacrifices, it has also given me the most invaluable consolation. And even when the scene shall come to a close, I trust that sentiment shall be the last to leave me, and that I shall derive some consolation in the reflection, that I have been a zealous, though an unprofitable, servant."

Shortly after his resignation he passed over to London, in order to proceed to, and take a last look at, France, now once more accessible from the fall of Napoleon. He addressed several letters from London and Paris to one of his intimate friends in Ireland.* Of these the following selection will be found to contain his opinions at large upon the interesting events that had lately passed, and upon the state of society in those rival capitals:—

"TO DENIS LUBE, ESQ. DUBLIN.

"London, June 1814.

"MY DEAR LUBE,

"I am not many days in London; yet am I as sick of it as ever I was of myself. No doubt it is not a favourable moment for society; politics spoil every thing; it is a perpetual tissue of plots, cabals, low anxiety, and disappointment. Every thing I see disgusts and depresses me; I look back at the streaming of blood for so many years; and every thing every where relapsed into its former degradation. France rechained—Spain again sad-

* Mr. D. Lube, of the Irish bar; a gentleman of peculiarly estimable character, in whom Mr. Curran reposed the most unbounded confidence.

dled for the priests—and Ireland, like a bastinadoed elephant, kneeling to receive the paltry rider: and what makes the idea the more cutting, her fate the work of her own ignorance and fury.—She has completely lost all sympathy here, and I see no prospect for her, except a vindictive oppression and an endlessly increasing taxation. God give us not happiness, but patience!

"I have fixed to set out for Paris on Tuesday with Mr. W. He is a clever man, pleasant, informed, up to every thing, can discount the bad spirits of a friend, and has undertaken all trouble. I don't go for society, it is a mere name; but the thing is to be found nowhere, even in this chilly region. I question if it is much better in Paris. Here the parade is gross, and cold, and vulgar; there it is, no doubt, more flippant, and the attitude more graceful; but in either place is not society equally a tyrant and a slave? The judgment despises it, and the heart renounces it.—We seek it because we are idle, we are idle because we are silly; the natural remedy is some social intercourse, of which a few drops would restore; but we swallow the whole phial, and are sicker of the remedy than we were of the disease. We do not reflect that the variety of converse is found only with a very few, selected by our regard, and is ever lost in a promiscuous rabble, in whom we cannot have any real interest, and where all is monotony. We have had it some times at the Priory, notwithstanding the bias of the ball that still made it roll to a particular side. I have enjoyed it, not long since, for a few hours in a week with as small a number, where too there was no smartness, no wit, no pretty affectation, no repartee; but where the heart will talk, the tongue may be silent—a look will be a sentence, and the shortest phrase a volume. No; be assured if the fancy is not led astray, it is only in the *coterie* that the thirst of the animal being can be slacked, or the pure luxury and anodyne of his life be found. He is endeared and exalted by being surpassed; he cannot be jealous of the wealth, however greater than his, which is expended for his pleasure, and which in fact, he feels to be his own. As well might an alderman become envious of the calapash in which his soul delights before the Lord. But we are forever mistaking the plumage for the bird: perhaps we are justly punished by seeking happiness where it is

not given by nature to find it. Eight or ten lines back I looked at my watch; I saw 'twas half past six, the hour at which dinner, with *a friend or two*, was to be precisely on the table. I went—was presented to half a dozen dial plates that I never saw before, and that looked as if they had never told the hour of the day. I sat gagged—stayed twenty minutes—came back to write, leaving Richard to bring me word if, between this and to-morrow, the miserable mess shall be flung into the trough. How complete a picture this of glare without worth, and attitude without action. 'My temper,' to quote myself, 'and my dinner lost.' Can it have been the serious intention of Providence that affectation should obtain these triumphs over sense and comfort? and yet really my host is a very good fellow in the main.

"'Tis now half past seven—no Richard. I had just put on my hat to go to the next coffee-house, but I resolved to punish myself for the petty peevishness of being angry, because every one has not as much good sense as I think I have myself. I am now wishing there may be no dinner till ten, that I may have the glory of self-punishment—

'Judico me cremari,

in continuation—

'Et combustus fui.'*

"We sat down at eight, sixteen strong, but it had nothing of a *coterie*. I sat next a pleasantish sort of a lady; but alas! a look of attention is not a look of affiance: there are gracionsnesses that neither identify nor attract; and as to the atmosphere that sported on her dimples, I would just as soon have had a thimbleful of

* Mr. Curran alludes to an anecdote related by Sir William Blackstone, in one of the notes to his Commentaries. In the reign of Henry the Sixth, the Chancellor of Oxford claimed the right of trying an action brought against himself; upon which occasion his counsel, Sergeant Rolfe, introduced the following curious argument in support of the claim.—*Jeo vous dirai un fable. En ascun temps fuit un pape et avoit fuit un grand offence, et le cardinals vindrent a luy et disoyent a luy "peccasti:" et il dit, "judica me:" et ils disoyent, "non possumus, quia caput et ecclesiæ; judica teipsum:" et l'apostol dit, "judico me cremari," et fuit combustus; et apres fuit un sainct. Et in ceo cas il fuit son juge demene, et issint n'est pas inconvenient que un home soit juge demene.—Bla. Com. Book 3, p. 299, note.*

common air. After all, how rare the coincidences that conciliate affection and exclusive confidence! how precarious!

> 'For either
> He never shall find out fit mate, but such
> As some misfortune brings him, or mistake;
> Or whom he wishes most shall seldom gain.
> Or if she love, withheld
> By parents, or his happiest choice too late
> Shall meet already linked and wedlock-bound
> To a fell adversary, his hate or shame.'

"Milton, you see, with all his rigour, was not insensible of these *lachrymæ rerum*. There is one thing that ought to make us humble and patient. When we are close enough for the inspection of others, we soon find that 'life is eternal war with woe.' Many, too, are doomed to 'suffer alone;' and, after all, would not a truly generous nature prefer the monopoly of its own ills rather than fling any part of them upon a kindred bosom?

"You ask me about politics. Regarding myself, my answer is—I had no object in parliament except the catholic question, and that I fear is gone. Westminster will probably be a race of bribery, equally disgraceful and precarious.* Burdett's conduct has been quite that of a friend and a man; he would have been most ardent, and what was to me most grateful, on a public ground. I dined with him yesterday; at first the party was numerous—the masquerade, about ten, drained them down to three, my *compagnon de voyage* and myself; till one it was quite a *coterie*, with no wine, there's no playing on an instrument with many strings; half of them form only base accompaniments.

"I thought to have gone *incog.* to Paris, but my excellent friend, the Duke of Sussex, insisted on my taking a letter to Monsieur:

> 'So now cocked hats, and swords, and laces,
> And servile bows and low grimaces:
> For what at court the lore of Pascal
> Weighed 'gainst the crouchings of a rascal?

* It was expected at this time that there would shortly be a vacancy in the representation for Westminster, in which event Mr. Curran had been encouraged to offer himself as a candidate, but he never entered warmly into the scheme. This is the political project to which he adverts more than once in his subsequent letters.

"As to my stay there, every where is to me nowhere; therefore, if it depends on me, I shall drop off when I'm full, or Mr. W. will haul me along. If our friends have any wish, it ought to decide, and shall do so. I cannot endure to be conscious of any retaliating sulk in myself; and I know that heaven loveth the cheerful giver.

"Yours, &c.

"J. P. C."

TO THE SAME.

"London, June, 1814.

"DEAR LUBE,

"Just received your kind fragment. I cannot say I read it without some pain. When fortune deigns to favour, particularly if there is any port and dignity in her condescension, we are apt to feel any declination from the consistency of her kindness. If she has justly entitled herself to stand upon a high pedestal, she cannot sink into any pettiness without affliction to the votary, who may be too apt to fear that there may have been blindness in what she withholds.

Anne Howe* is an injudicious example of a woman of talents, favouring without much claim, inflicting without much cause, and diminishing the value of what she gives, and what would otherwise rise above all price, by the levity of an unequal tenor that takes away from her the splendid of her own uniform judgment in her own justification; it lets down the giver, and abashes the taker. Our friends should not have made a point so much beneath their region; let them therefore review and correct. However, it should be ever the duty of gratitude, not to let even the breaking of a single string take away the merit of the residue of the octave, if that had given out all the luxury of harmony and feeling before that single key had lost its voice—but, perhaps too much of this.

"Since my arrival here my spirits have been wretchedly low: though treated with great kindness, I find nothing to my mind. I find heads without thinking, and hearts without strings, and a phrase-

* This is a fictitious name. The subject of this part of the above letter was entirely of a private nature, and is alluded to with a studied obscurity.

ology sailing in ballast—every one piping, but few dancing. England is not a place for society; it is too cold, too vain, without pride enough to be humble, drowned in dull fantastical formality, vulgarised by rank without talent, and talent foolishly recommending itself by weight rather than by fashion—a perpetual war between the disappointed pretension of talent and the stupid overweening of affected patronage; means without enjoyment, pursuits without an object, and society without conversation or intercourse: perhaps they manage this better in France—a few days, I think, will enable me to decide. As to politics, I remain in opinion the same. In that object I probably would have succeeded; I should have been strongly supported, but a conflict of corruption! surely not to be thought of. How would it mortify the discerning pride of our friends, to see us decked and degraded in a mantle!

"So vilely purchased and so vilely wrought!"

and to find themselves disguising the pangs of wounded sympathy in the forced semblance of gratulation. The advice of Longinus, 'consider how Homer would have expressed this idea,' applies equally to every thing. How would the adviser have advised?—how feel? Will the 'promise so true,' 'for ever to partake the joy and the wo,' be performed in sharing the joy of what is right, or in the sad condolence at what is weak or wrong? If the latter, what would it be but the rising of the whirlwind, and drifting a mountain of sand upon the green spot that could never again appear? While fate permits that spot to bloom, sacred should it be kept, at least from voluntary weeds.

"One of our friends asked me how soon I meant to return. Instead of answering directly, I observed that the question implied no particular wish, or, if any, rather for a retarded than a precipitated return. If any wish had been intimated, it would have decided me. I did not impute the indecision to any want of interest, but I intended to have discussed it at large the day after my departure. What is the wish? Perhaps, on such a subject, the wisher might condescend to be also the amanuensis. I shall remain here, I think, just long enough to get a line—enclose to J. Spencer, Esq. 28 Bury-street. If I am left to my own conjectures, my stay in France might

be for the winter; it might lead to an excursion to Italy, in vainly pursuing 'phantoms that promise and afterwards disown.' A proposal towards such a plan has been mentioned to me, and by a pleasant man, who has been there already.

"Don't mistake me, in supposing that I meant any thing peevish in the indecision of wish by our friends; quite the contrary. I really think it very difficult to know what wish to form, while all things are in such a state of vacillation. The post is just ringing. Farewell!

"J. P. C."

"Paris, August 3, 1814.

"DEAR L.

"I received your kind letter, and thank you for it; '*levius fit*,' &c. When I came here, I intended to have scribbled some little journal of what I met. I am now sorry I did not. Things so soon become familiar, and appear not worth notice; besides, I have not been well since I came here. If I had written, and sent it to you, it would have been a tissue of astonishment, or affliction, or disgust. I see clearly I am likely to be drummed out of this sad world. I fear war will soon unfold her tattered banners on the continent. This poor country is in a deplorable state—a ruined noblesse, a famished clergy, a depopulated nation, a state of smothered war between the upstarts and the restored; their finances most distressed; the military spirits divided; the most opposite opinions as to the lasting of the present form of things—every thing unhinged: yet I really sympathise with this worried, amiable, and perhaps contemptible people; so full of talent and of vice, so frivolous, so inconstant and prone to change, so ferocious too in their fickleness; about six revolutions within twenty years, and as fresh as ever for a new dance. These strange vicissitudes of man draw tears, but they also teach wisdom. These awful reverses make one ashamed of being engrossed by mere self, and examining a louse through a microscope, 'complain of grief, complain thou art a man.'

"I never so completely found my mind a magic-lantern; such a rapid succession of disjointed images! the past, the present, the

future possible. One ought not to be hasty in taking up bad impressions, and I need not say that three weeks can give but little room for exact observation; but from what I do see, and learn from others who have seen long and deeply, I have conceived the worst of social Paris. Every thing on the surface is abominable; beastlinesses that even with us do not exist; they actually seem in talk and in practice to cultivate a familiarity with nastiness. In every public place, they are spitting on your shoes, in your plate, almost in your mouth. Such community of secretions, with, I think, scarcely any exception, is not to be borne. Then the contrast makes it worse—gaudiness more striking by filth: the splendid palace for the ruler, the hovels and the sink for the ruled; the fine box for the despot, the pigeon-holes for the people; and it strikes me with sadness, that the women can be little more than the figurantes, much more the property, and that a very abused property, than the proprietors; receiving a mock reverence, merely to carry on the drama, but neither cherished nor respected. What a reflection, if, as I fear, it is true that the better half of the species, (for such I really think them, when fitly placed) should be so sacrificed! How vile the feeling and the taste, that can degrade them from being the real directors and mistresses of man, to be the mere soubrettes of society, gilded and smart, and dextrous and vicious, giving up all that exalts and endears them in their proper characters of wives and friends, and partners in good, and consolers in adverse fortunes! Even before the revolution, manners were bad enough, but many causes since have rubbed off the gilding; the banishment of the nobles, the succession of low men to power, and more than all the elevation of plebeian soldiers to high rank, promoting of course their trulls to a station where manners and morals were under their influence; and this added to the horrible example set by Bonaparte himself in his own interior, putting every thing honest or sacred out of countenance and out of fashion. Add to this, what must have sent down the contagion to the lower orders—the conscription: the wretched men marrying without preference merely to avoid the army, and then running into that army to escape from their ill-chosen partners; all these causes must have conspired to make a frightful carnage in manners and morals too. In short, I am per-

suaded that a single monster has done more to demoralize and uncivilize this country than a century can repair. I am disposed to attribute to the same causes the growing fanaticism of England. In Ireland we had little to lose in civilization; but look at our late extravagances, and see at least how much we have lost in our own and in the opinion of others. For years to come, I see no hope; we have the anguish of being ourselves the cause of not going forward a little in the march of the world, but of still remaining a byword among nations. Patriotic affectation is almost as bad as personal, but I declare I think these things do a good deal in sinking my health, which is far from good; my spirits quite on the ground; and yet as to Ireland, I never saw but one alternative—a bridewell or a guard-house; with England the first, with France the other. We might have had a mollification, and the bolts lightened, and a chance of progression; but that I now give up.

"I really wish the thing with myself over; and trust me that wish is not irreligious or peevish, but rather a good-humoured feeling, that, not wishing to eat more, I may be better by rising from table; 'enough is as good as a feast.'

"I am every hour more and more confirmed as to my ideas of society; it is not for those that think or feel; it is one fool getting on the back of many, to fly from himself. In France you can scarcely make even that experiment, for all here agree that at *the present moment* all society is dead. Nor is it wonderful, that, when all the actors on the great scene are changed, the parts should be badly performed; but still I have found society, as it is called, and met a great deal of kindness, and some persons of talent; but even there I found society an orchestra, where the fiddlers were putting one another out, or rather where one played a solo, and every other bow was soaped.

"At this moment my friend enters; he differs totally from my opinion, saying, 'I have lived single in a great city; few friends, many acquaintances; I think I have done right and shall continue. Sameness would cloy. How many happy matches have you seen? How many faithful friendships? Too much intimacy lays you bare; your little infirmities diminish respect, perhaps excite disgust, perhaps end in hatred. With the same persons and those few, what

chance of having yourself, or finding in them, the attachment, the good temper, and good sense necessary for bearing and forbearing? You have complained of being spit upon—but you can easily curse them, make a polite bow, and go away; but that would be no cause for breaking a closer attachment. Are you not conscious, that you have observed, since we have been so much together, some faults in me not observed before? Have you no suspicion of reprisal?' All this I treated as misanthropic cant—he retorted on me, 'What is your select attachment but general intolerance? What is the syrup of concentrated affection but extract from the wormwood of embittered irritability? When has any man ever found the male or the female inmate always equal, patient, and amiable? or even suppose it, will not sickness or death rend the bond, and leave you or them in a desert? As to me, I can bear almost every body; the grave-digger, I laugh at. I cannot weep over myself when I'm gone, and I will not over any body else.' He pressed me to say if I seriously thought there was nothing in these topics. I told him I had frequently been presented with them before, but was not exactly in a frame for an *ulterius concilium*. In truth, it was rather memory awakened, than opinion shaken, that made me disposed to silence; but of this enough for the present.

"I found myself all abaft. We agreed to go to *la chambre des deputes*. One of the members chanced to have heard of my name, was extremely courteous, lamented that I should be a mere auditor, but he would take care that I should be placed according to my high worthiness. We were accordingly placed *aux premieres tribunes:* the question was to be of the liberty of the press, and of a previous censorship. The baron had some difficulty in working us forward, and said how happy he was in succeeding. I assured him I was greatly delighted by the difficulty, as it marked the just point of solicitude of the public. The chamber is very handsome; the president faces the assembly; before him is a tribune, which the orator ascends, and reads his speech with his back to the president—we waited anxiously. I thought I shared in the throb of a public heart, We observed some bustle; the seats of the interior, reserved for the members, became crowded to excess by ladies admitted I know

not how. The order for strangers to retire was read; the ladies would not stir. The president could find no remedy, and adjourned the house to next day. I was rather disgusted: the baron asked me what we would have done in England? I said we had too much respect for our ladies to permit them to remain; he shook his head: I did not understand what he meant. But does not this prove, what I said a day or two ago (for this is written by starts) to be true, 'that women here have only a mock respect?' if real, would they have dreamed of such a silly termagancy? Does it not mark their unfeeling coxcombry and apathy in the public interest, and how fit they are to be the mothers of the Gracchi? And yet women here are vain of their sway. I can imagine nothing more humiliating than such Saturnalian licentiousness.

"However, I went next day. There was a previous list of the orators, pro and con: they mounted alternately, and read written speeches. The echo was strong; I lost much. But how can any man read his own speech? He may the speech of the dead or the absent; it is any thing but discussion. The orator swabs his face, notwithstanding the sedateness of the exertion; and when he stops to drink, which is a part of the performance, the whole assembly handle their 'kerchiefs, and trumpet in the most perfect time and unison, to the great animation and interest of the speech, and no doubt to the great comfort of the auditors, who must have had their secretions brimful during their attention. The question will not be decided probably in many days. The press is surely the great sentinel—it gives the light to see and the tongue to speak. They say the Russians always eat the candles before they swallow the people. I can't tell you how interested I am; I begin to doubt if man ought to be monopolized or his taper, however dim it may be, put under the bushel of mere private confined affection. Some, it seems, are afraid of the sudden mischiefs that might arise among a volatile people, if restraint were removed too soon; I own it never was my notion. But I know not how far these fears may be real or feigned. Such is the fate of revolutions—nothing certain but blood. The march of the captives begins through a Red Sea; and, after forty years in seeking new abodes and strange gods, the leader seldom sees the promised land, or, at least, dies before his

foot has touched it. What is it, here at least, but the succession of wretches doing the duty of the hangman, till it is the turn of each to be the victim? These thoughts often console me. My dear friend, we must stay as we are; but let us look at the history of past and the acts of present men, and learn to be patient and modest.

"You can't forget my hatred of Bonaparte; every thing I hear confirms it. When I went up to see his famous column at Boulogne, the poor muse, I thought was left behind, whispered at the moment,

> 'When ambition achieves her desire,
> How fortune must laugh at the joke!
> You mounted a pillar of fire,
> You sink in a pillar of smoke.'

"I am greatly pleased to have this man's extinction marked by so much abject degradation. These butchers and robbers, called conquerors, have kept their vices up by the splendour of their rise or fall; but what a fall has this man had! He retires instead of falling like a brave highwayman, or as Cataline did; he dwindles into an isl-icle, and plays the pitiful tricks of power among fishermen and washerwomen. After losing the game of the world, he sits down, like a child, to make castles with cards. Even his military talents are questioned. They say, that having no respect for property or person, he extorted such sums of money, and thousands of men, as made resistance physically impossible, even notwithstanding an infinite number of mistakes of head and violences of temper—but here you know I am speaking without book. Still he had laid hold of the gaudiness of many, and is talked of with regret; but his rising again is, I trust in God, impossible. I do believe the present rulers mean very well, though the king has none of the vices that might recommend him here. I believe he is well taught in the school of adversity, and has a respect for whatever is good and honest. Whether he be bigoted, I don't know.—An attempt was made to shut the shops on Sunday, and to carry the host in procession, but both failed; they were, however, desisted from with great temper.

"I now regret that I did not throw upon paper the things that occurred every day; I have often regretted the omission. I would advise you to keep a journal of that kind; it will cost very little trouble, and will have the freshnesss of being ready gathered, not faded by forgetfulness and cold and laboured recollection. Even while I have been scribbling this, many incidents, that glowed with life at the moment, have so lost their life, that though I rolled them they threw up nothing but water, and would be rotten before they could reach you, so I ceased all attempts to revive them. I had twenty things, the first few days to say of my host, and his wife, and his daughter. It seems they fled to Lubec at the first horrors of the revolution, and the children were born there; the girl, I thought, seemed to have a good opinion of me, and I thought her good taste ought to make amends for her want of beauty; and certainly she had brought a very scanty viaticum of charms from the north. About the end of the first week, meaning to be very sweet, she assured me I had the best English accent she ever heard, and that it was exactly the same as that of her English master. During this chat, in marches this teacher. The scoundrel is a German, who went to London at five and twenty, and returned, after four years, to teach the purity of their language in Paris. Poor girl! I turned her regimentals at the moment, and remanded her to her ugliness. However, all is well, for she knows nothing of the crime, or the sentence, or the pardon. The father and mother are very good sort of people, and have saved me from some small impositions; for really nothing can be so shameless and abject as the frauds upon strangers. Even at the coffee-house where I breakfast, the keeper of it, a very genteel woman, makes me almost every day pay a different price for the same thing. It is still only fair to say, the French are the civilest people upon earth, and I really believe sincerely good natured to strangers. Two nights ago I was overtaken by the national guard: I asked the officer my way; he answered so courteously, that I ventured a question or two more; he continued the same good nature, and the private next behind him assisted in doing the duties of hospitality. I said I was afraid he had led me to pass the line of respect to him, but his answer was, and in the kindest tone, 'Sir, a stranger '*comme il*

faut,' can never pass it in France.' I doubt if I should have found it so in England. Apropos! I am quite sure the two nations hate each other as devoutly as ever; and I think their respective imperfections of character will be kept alive by the mutual spirit of contempt. Paris will think it graceful to be volatile, as long as London thinks it dignified to be dull."

"TO THE SAME.

"Paris.

"MY DEAR LUBE,

"I write again, because I judge from myself, and how kindly I felt your last, that you would like to hear from me; perhaps the not being able to abstain from writing to the absent is the only certain proof that distance and memory are compatible: however, the compliment is not great, when you know that I have flung myself upon you as a correspondent only at those intervals when I could not bear my own company. The thermometer has been higher here lately than at any former time. Close, dirty streets, stewing play-houses, and a burning sun, have, perhaps naturally enough, completed the extreme depression of my spirits, and made me fit for nothing. I endeavour to dissipate, by wasting myself upon spectacles—but it won't do; this day I thought to look for something gay in the catacombs. It seems all Paris stands upon a vaulted quarry, out of which the stone to build it has been taken, and it is not very rare to see an entire house sink down to its original home, and disappear. Part of this excavation has been fitted up as a residence in remainder for the grave. We went down, I think, 70 steps, and traversed more than half a mile by torch, or rather taper light, and we beheld more than 2,300,000 fragments of what once was life. They amount to four times the present population of Paris. The bones were very carefully built up, and at intervals were studded with projecting rows of skulls, with mottos occasionally written up in Latin or French. It was a sort of caravan, mostly women: one of them asked me to translate one of those; it was, I think, 'in nihilum revertitur quod ex nihilo

fuit.' I asked whether it gave her a sentiment of grief, or fear, or hope? She asked me what room I could see for hope in a parcel of empty sculls? 'For that reason, madam, and because you know they cannot be filled with grief or fear, for all subject of either is past.' She replied, 'oui, et cependant c'est jolie.' I could not guess to what she applied the epithet, so I raised the taper to her face, which I had not looked at before, and had it been any thing but the mirror of death, I should have thought she had looked into it, and applied the one reflection to the other, so perfectly unimpressed was her countenance. It did not raise her in my mind, though she was not ill-looking; and when I met her above ground, after our resurrection, she appeared fit enough for the drawing-rooms of the world, though not for the under-cellar. I don't remember ever to have had my mind compressed into so narrow a space: so many human beings, so many actors, so many sufferers, so various in human rank, so equalized in the grave! When I stared at the congregation, I could not distinguish what head had raved, or reasoned, or hoped, or burned. I looked for thought, I looked for dimples; I asked, whither is all gone—did wisdom never flow from your lips, nor affection hang upon them—and if both or either, which was the most exalting—which the most fascinating? All silent. They left me to answer for them, 'So shall the fairest face appear.'

"I was full of the subject. In the evening I went to distract at the comedy of le Misanthrope, the best of Moliere. The severe affection of Alceste, and the heartless coquetry of Celimene, were excellently done. It is not only tragedy that weeps—Golgotha was still an incubus upon me. I saw the moral of the piece went far beyond the stage—it only began there. Every good play ought to be just in the particular fable. It ought also (to be useful) to have a general analogy far more extensive and equally exact. Alceste is man in the abstract—Celimene is the object of his wish, whatever that may be; she smiles, and caresses, and promises. He thinks he feels the blood in her heart, for he mistakes the pulse of his own for that of hers; he embraces the phantom, or thinks he does so, but is betrayed, and opens his eyes upon the desert: at the moment he does not recollect that the loss to

him is little; 'tis only the loss of himself—to her it is nothing, for it is made up in the next conscription; and, at all events, whether sick or wounded, the march of man's warfare is never suspended; the moving infirmary never halts, and every day brings him a stage nearer *a la barriere d'enfer*, the entrance of the catacombs.

"This sad subject naturally turns me to another, that makes me suspect that my contempt of this world is not quite sincere. I mean the poor extravasated Irish that I meet here; I meet their ghosts as I pass, and view them as Eneas did,

'Quos abstulit atra dies et funere miscet acerbo.'

How can I affect to despise a scene where my heart bleeds for every sufferer? I wish to disperse my feelings as a citizen of the world, and break my own monopoly of them, but they all come back to our unhappy country. One of the most beautiful touches of the prince of sensitive poets is where he tinges the wanderings of Dido with patriotism,

——'Sæpe longum incomitata videtur
Ire viam et Tyrios deserta quærere terra.'

By the by, it does some credit to the character of humanity that we sometimes exchange the suffering of egotism for a nobler sympathy, and lament over others instead of keeping all our tears for ourselves. What exquisite nectar must they be to those over whom they are shed! Nor perhaps should the assurance that they don't suffer alone be always withheld, because it may not be always true; because for he purpose of consolation, it is enough if it be believed, whether true or not: if the payment is complete, is it worth while to inquire whether the coin be counterfeit or not? But with respect to our poor exiles the sympathy is most sincere as well as ardent: I had hopes that England might let them back. The season and the power of mischief is long past; the number is almost too small to do credit to the mercy that casts a look upon them. But they are destined to give their last recollection of the green fields they are never to behold, on a foreign death-bed, and to lose the sad delight of fancied visits to them in a distant grave—

* * * * * *

"I continue to feel an increasing dislike of every thing here; I probably sha'n't remain long. I have left some things in Ireland unsettled that I must arrange, however I may dispose of myself hereafter. England can't arrest me long; I have never found any good in watering places. My malady, a constitutional dejection, can hope for no remedy in water or in wine. In general, the benefit of those places is attributed to the attendant temperance, but a person little given to excess any where has not much to add in that way; and as to evening parties, in a crowd of strangers, I never liked them, nor was fit for them: I have therefore given my evenings to the theatres—I prefer them to English, notwithstanding the difficulty of a foreign language. I prefer the style of their stage to ours: ours always appeared to me flat and dull, with never more than one or two of tolerable merit; on the contrary, here you never find any very bad. A comic nation is perpetually sending young aspirants to Paris, where of course there can be no dearth. In England you must put up with what you can get. No doubt, it is hard to find any exact principles of acting; 'tis in a great degree arbitrary and accidental—still nature will assert certain boundaries. In France there may be bombast and tinsel, and the eternal monotony of amour in their plays is liable to objections, lying much deeper than the mere criticism of the stage; it goes vitally to the morals and manners of the people—it goes to make the woman a bad sort of man, and the man a bad sort of woman—it goes to take away the solid basis of every virtue of either sex: it leaves the man little to wish, to the woman little to bestow; it annihilates the fine spirit of attachment. What can he feel for confidences given on a principle of good breeding? To fascinate, there must be no doubt of its being exclusive. When I am writing my bad verses, I would spurn the muse, if I suspected her of whispering the same idea to twenty other poetasters. On the same principle, if you have only the sixty-fourth of a ticket in the lottery of regard, the prize is in fact a blank. How can you join in triumph with sixty-three other fortunate adventurers? Still these exhibitions amuse; the acting is flippant and graceful, and the music sometimes excellent. The English, who have no national mu-

sic, affect to despise French. It is sometimes, perhaps, tinselish; but I own it frequently catches my fancy, and even my heart.

* * * * * * * * * *

"I am not sorry for having come hither when I did—perhaps you see society better when cut into piece-meal, as in anatomy every thing is laid bare to the student—perhaps it is seen to great disadvantage. The best lesson that man can learn is toleration, and travelling ought to be the best school. There are many points in which this people must be allowed praise—lively, cheerful—a constitutional philosophy, disposing them to be always satisfied. I wish, as to government, they could be brought to an anchor; whether that is to happen, who can tell? Nothing can be more divided than the general sentiment: the higher military men have got safe into harbour, and wish perhaps for quiet; all under them most discontented; long arrears due. They can't employ them abroad, for want of money; and when the devil is raised, and can't be kept in work—we know the story. The favour to Bonaparte is the more singular, because, allowing for his extraordinary energy, I doubt if he had a single great quality. It is clear he was no statesman; force alone was sufficient for all he did. Men here of the best authority pronounce him a man of uncommon energy in action, but of no talent for retreat. The question is of more curiosity than moment. If otherwise, it might not be easy to know what credit to give to these criticisms.

"22d. At last we have got our passports, and ordered a carriage for to-morrow. We shall go by Dieppe. Neither my fellow-traveller nor myself in the best health or spirits: I have a great kindness for him, though no human beings can be more different. I don't think diversity is incompatible with friendship or affection; but strong contrariety, I fear, is. How different are they from the volatility of France, as well as from the loud, ardent, indiscreet vehemence of our poor people. Certainly it is not mere interest that forms the weight to the clock, through the utter want of any regulating power makes it a sad time-piece. But I consider it now as nearly a '*conclamatum est*,' and the insurrection act little other than a monumental inscription.

"London. Tuesday. (A new venue.) After a day spent at Dieppe, we sailed: and, after forty hours, landed at Brighton. I don't like the state of my health; if it was merely *maladie* under sailing orders for the undiscovered country, I should not quarrel with the passport. There is nothing gloomy in my religious impressions, though I trust they are not shallow: I ought to have been better—I know also that others have been as blameable; and have rather a cheerful reliance upon mercy than an abject fear of justice. Or were it otherwise, I have a much greater fear of suffering than of death.

"I had almost made up my mind to bestow a citizen to France, and I am mortified at finding any drag upon the intention—yet a drag there is. I have no doubt that the revolution has thrown that country a century back, yet she has qualities that might have hoped a better destiny. It has been suggested to me that a winter in Paris might answer better.

"I just now return from a long conversation with the truly royal personage,* who saves you from the postage of this. A few days must, I now think, take me across. I think of meeting some persons at Cheltenham. As to waters, I suspect they are seldom of use. I am quite decided against them, till Charon pledges me on the Styx.

"Yours, very truly,
"J. P. CURRAN."

The following letter, written in 1815, concludes the series of his private correspondence:

"London.

"DEAR LUBE,

"As I sit down to write, I am broken in upon. In sooth I had little to say—the mere sending this is full proof that I have escaped being supped upon by Jonas's landlord, or any of his subjects. I sailed Wednesday night, and arrived here at half past six

* H. R. H. the Duke of Sussex.

this morning, sound and sad. Kings and generals as cheap as dirt, and yet so much more valuable a thing as a lodging as dear as two eggs a penny. Saturday not being a day of business in the house, I met nobody; though I did not go to bed on my arrival: the little I have heard confirms the idea you know I entertained of a flatness of a certain political project; it could not pass unopposed, and in such a conflict, the expenditure of money to make a voter a knave, that you might be an honest senator, would, in such a swarm of locusts, surpass all calculation. However, I know nothing distinctly as yet, therefore I merely persevere in the notion I stated to you.

"I have just seen the immortal Blucher. The gentlemen and ladies of the mob huzza him out of his den, like a wild beast to his offal; and this is repeated every quarter of an hour, to their great delight, and for aught appears, not at all to his dissatisfaction. I am now going to dine with a friend, before whose house the illustrious monarchs proceed to their surfeit at Guildhall. No doubt we shall have the newspapers in a state of eructation for at least a week.—But I must close.

"J. P. C."

The short remainder of Mr. Curran's life was passed principally between Dublin and London. Notwithstanding the decline of his health and and spirits, the vigour of his mind continued unimpaired, and probably added to his indisposition, by the constant impatience of inactivity in which it kept him. He occasionally returned to the literary projects already mentioned; but to speak had been the business of his life, and his mind could not now submit itself to the solitary labours of the closet. He still continued to look towards parliament, rather, perhaps, to give himself some nominal object, than from any hope or desire to be there. While in London he sometimes attended and spoke at public dinners. Both there and in Ireland his time was usually spent in the society of his intimate friends, whom his powers, as a companion, delighted to the last.

In the spring of 1817, he began to sink rapidly. While dining with his friend, Mr. Thomas Moore, he suffered a slight paralytic

attack in one of his hands. He was also incommoded by frequent oppression in his chest, for which, as well as for his general health, his medical advisers recommended him to visit the milder climate of the south of Europe. Preparatory to following that advice, he passed over to Dublin, in July, to arrange his private affairs. But his friends could perceive, by his altered looks, that the hour of final separation was fast approaching. Of this he was not insensible himself, As he walked through the grounds of his country seat, with Mr. M'Nally, he spoke of the impending event with tranquillity and resignation.

"I melt (said he) and am not
Of stronger earth than others.

I wish it was all over."

On the day of his departure for England, after having parted in the ordinary way from another of his friends, he returned suddenly and grasped his hand, saying, in an affectionate, but firm tone, "you will never behold me more." He had a short time before, when leaving Cheltenham, handed the following little impromptu, as a final adieu to a family there (Sir Arthur Brooke Faulkener's), from whom he had received peculiar marks of hospitality and kindness:

"For welcome warm, for greeting kind,
The present thanks the tongue can tell;
But soon the heart no tongue may find,
Then Thank thee in a sad farewell!"

As Mr. Curran travelled between Holyhead and Cheltenham he was re-visited by paralytic symptoms. Upon his arrival at the latter place, doubtful of the nature of the recent attack, he requested of a medical friend to examine his pulse, and to declare explicitly whether it indicated any disposition to palsy. The physician assured him, that there was no indication of the kind. "Then," said Mr. Curran, "I suppose I am to consider what has lately happened as a runaway knock, and not a notice to quit."

He arrived in London in September, where he proposed to pass the winter, still intending to proceed to the south of France, or

Italy, in the commencement of the ensuing spring. His spirits were now in a state of the most distressing depression. He complained of having "a mountain of lead upon his heart." This despondency he increased by dwelling perpetually upon the condition of Ireland, which his imagination was for ever representing to him as doomed to endless divisions and degradation. A few days before his last illness he dined with his friend, the late Mr. Thomas Thompson.* After dinner he was for a while cheerful and animated, but some allusion having been made to Irish politics, he instantly hung down his head, and burst into tears. On the 7th of October, a swelling appeared over one of his eyes, to which, attributing it to cold, he gave little attention. On the night of the 8th, he was attacked by apoplexy. He was attended by two eminent physicians, Doctors Badham and Ainslie, and by Mr. Tegart, of Pall Mall, all of whom pronounced his recovery to be impossible. The utmost efforts of their skill could not protract his existence many days. Mr. Curran expired at nine o'clock at night, on the 14th of October, 1817, in the 68th year of his age. During his short illness, he appeared entirely free from pain; he was speechless from the commencement of the attack, and with the exception of a few intervals, quite insensible. His last minutes were so placid, that those who watched over him could not mark the exact moment of expiration. Three of his children, his son-in-law, and daughter-in-law, and his old and attached friend, Mr. Godwin, surrounded his death-bed, and performed the last offices of piety and respect.

Mr. Curran's funeral did not take place till the 4th of November. His will, which it was supposed would have contained his own instructions upon the subject, having been left in Ireland, it was found necessary to await the examination of that document, and the directions of the executors. In the interval, Mr. Daniel O'Connel, who was at Bath, and on the point of setting out with his family for Dublin, having received information of Mr. Curran's death, very generously sacrificed every consideration of private convenience, and hastened up to London, to attend his deceased countryman to

* Of Chapel-street, Grosvenor-place; a gentleman who was deservedly high in the regard and respect of all who had the good fortune to know him.

the grave: an act of affectionate respect which was peculiarly honourable to that gentleman, between whom and Mr. Curran a considerable misunderstanding had latterly existed upon the subject of catholic politics. It was the anxious desire of Mr. O'Connel, and of several other friends of Mr. Curran, who were upon the spot, that his remains should be transported to his own country, in order to give a people, with whose interests and destiny the departed advocate had so entirely identified his own, a final opportunity of publicly testifying their admiration and regret. Those who advised this measure were aware that he had himself (when he felt his end approaching) found a source of affecting consolation in the hope that, wherever it should be his fate to expire, Ireland would claim him. "The last duties (he pathetically observed in one of his latest letters) will be paid by that country on which they are devolved; nor will it be for charity that a little earth shall be given to my bones. Tenderly will those duties be paid, as the debt of well-earned affection, and of gratitude not ashamed of her tears," But with this last wish it was now found impossible to comply. His will was altogether silent regarding his interment; and of the four executors whom he had appointed only one was present in Dublin. That excellent person (Mr. John Franks, of the Irish bar) had he been left to the exercise of his sole discretion, would have yielded to none in performing any act of honour or affection to the memory of his friend; but in consequence of the absence of the other executors, and from several legal considerations, he could not feel himself justified in authorizing any departure from the ordinary course. Mr. Curran's remains were, therefore, privately interred in London, in one of the vaults of the Paddington church.*

* The persons who attended his funeral were (besides the members of his own family) Mr. Tegart, Messrs. Lyne and Phillips, of the Irish bar, Mr. Finnerty, the late Mr. Thomas Thompson, the Rev. George Croly, Mr. Thomas Moore, and Mr. Godwin. Mr. O'Connel's professional engagements had obliged him reluctantly to depart for Ireland before the day of Mr. Curran's interment.

CHAPTER XVIII.

Observations on Mr. Curran's eloquence—Objections to his style considered—His habits of preparation for public speaking—His ideas of popular eloquence—His pathos—Variety of his powers—His imagination—Peculiarity of his images—His use of ridicule—Propensity to metaphor—Irish eloquence—Its origin—Mr. Curran's and Burke's eloquence compared.

For the last twenty years of his life, Mr. Curran enjoyed the reputation of being the most eloquent advocate that had ever appeared at the Irish bar; and if future times shall hold his genius in estimation, it is his eloquence which must entitle him to that distinction. His name may, indeed, derive a still more splendid claim to posthumous respect, from the purity and manliness of his public conduct, during times when the hearts and nerves of so many others were tried, and sunk beneath the proof. Divested of this, his eloquence would have been comparatively worthless. Orators are common characters; but it is not so common to find a man, upon every occasion of his life, preferring his public duty to his personal advancement—conducting himself, amidst the shock of civil contentions, with danger and allurements on every side, so as to command the entire approbation of his own conscience, and the more impartial, though not more valuable, applause of that succeeding time which is a stranger to the particular interests and passions that might bias its decisions. This period has not yet come; but it may be asserted that it is approaching, and that when it shall actually arrive, Mr. Curran's memory has nothing to fear from its judgment. Before this tribunal it will be admitted that he, and the few who joined him, in making (in defiance of much momentary opprobrium) an undaunted stand against those sinister measures upon which the framers have subsequently reflected with shame, were but exercising the right of superior minds, whose privilege it is to discern, amidst the tumult of conflicting opinions, and the hasty expedients of ephemeral sagacity, what alone is permanently wise and good—to judge the men, and acts of their own day, with

the same unbetraying firmness with which they judge the times that have passed, and with which posterity will judge themselves. It will not be overlooked, that it is the ordinary fate of such persons to be misconceived and reviled; that in the hour of general intoxication, the most grievous of offenders is he who passes the cup, and will not be degraded, rebuking, by his importunate sobriety, the indecent revelry that surrounds him. To have done this will be considered more rare and honourable in Mr. Curran's history, than to have been distinguished by the most commanding abilities; but in his case it is needless to dwell upon his conduct as separated from his oratory. "Words," said Mirabeau, "are things." In Mr. Curran's public life, his speeches were his acts; and all that the reader of them requires to know is, that his practice never discredited his professions. If what he said was honest, what he did was not less so. His language and actions had a common origin and object, and cannot now be dissociated for the purpose of separate encomium or condemnation; it is out of his own mouth that he must now be judged.

His eloquence was original, not formed by the imitation of any preceding model, so much as resulting from his individual constitution of mind and temperament, and from the particular nature of the society and the scenes upon which he was thrown. With the same advantages of education elsewhere, he would undoubtedly have risen above the ordinary level—he possessed powers too uncommon to keep him long in obscurity; but it required the theatre upon which his life was passed, to give them that exact direction to which his oratory is indebted for its peculiar character. The history of his mind is, in this respect, intimately connected with that of his country.

By nature ardent, of the most acute sensibility, instinctively alive to every social gratification, he passed his infancy and youth among those ranks where such qualities are the peculiar objects of applause. The heart naturally cherishes the scenes and authors of its first indulgences; and Mr. Curran entered upon his career of public life strongly attached to that order of the community which he had first known, and of which, notwithstanding his accidental elevation, he considered himself as a part, and as bound to their

interests by every motive of sympathy and duty. This early inclination to the popular cause could not fail to be encouraged by the condition of the times—by the successful efforts of America, which excited so much imitative enthusiasm in Ireland—and by those consequent movements of patriotic spirit which preceded the revolution of 1782. But, above all, there was in his daily view the degraded condition of his fellow-subjects; a spectacle which, without any farther incentive, might readily awaken, in a feeling breast, much suspicion of the wisdom and humanity of the government that could countenance such a system. Nor did his mind, when it ascended from his own personal impulses to the less questionable conclusions of England's great legal and constitutional authorities, discover any thing that should make him pause in his estimate of the importance of the people's privileges. In contemplating the British constitution, to the fullest benefits of which he never ceased to vindicate his country's most undoubted claim, his first and his last conviction was, that no matter by what terms it might be described, it was essentially popular; that the original elemental principle which gave it life and vigour, and which alone could give it permanency, was the subject's freedom; that this, the most vital part, experience had shown to be most exposed to unconstitutional invasion; and that, as long as this practical tendency subsisted, it behoved every friend to the throne and the laws to demonstrate his attachment, not by a parade of simulated or fanatic loyalty, but by upholding, on every occasion, the dignity and the spirit of the subject. But, whatever was the cause, whether the original character of his mind, or the influence of early associations, or his education, or the passing scene, or, as seems most probable, all of them combined, he no sooner appeared than he declared himself the advocate of the people's rights, a title which he ever after supported with an ardour and constancy that leave no doubt of his sincerity.

It was the intensity of this feeling, which obstacles soon matured into a passion, that gave such an uncommon interest to his oratory. Whatever may be the opinion of the expediency of such popular tenets, there is a natural magnificence about them, when presented through the medium of a fervid imagination, to which the most unsympathising are compelled to pay a momentary homage—to those

who are persuaded of their truth, and who feel that they have been defrauded of their benefits, they come as oracles fraught with rapture and consolation.

In all Mr. Curran's political speeches this sentiment of devoted attachment to liberty and to country is conspicuous, animating and dignifying every topic that he advances. It cannot be too frequently repeated (and to attest it is a debt that Ireland owes his memory) that in his most vehement assertion of her rights, he was most conscientiously sincere. His love of Ireland was of no vulgar and fickle kind, originating in interest, vanity or ambition. Ireland was the choice of his youth, and was from first to last regarded by him, not so much with the feelings of a patriot as with the romantic idolatry of a lover. To her his heart was contracted for better and for worse; to her "what he had to give he gave," confederating all his most cherished projects with her wayward fortunes, and surrendering to her service all the resources of his genius, in the successive stages of her pride, her hopes, her struggles, and her despair. In him every man who knew him knew that these were not common-place pretences, which he put forth as mere instruments of rhetoric: the most sensitive of his audience were never under more subjection to his enthusiasm than he was himself; and it was in the evidence of this fact, more than in any art, that lay the extraordinary fascination of his manner. There was no elaborate ardour, no technical impetuosity; nothing to imply that while his lips were on fire his heart might be cold; but every look, tone, and gesture, carried with them the conviction, that if he were deluding them he was deluding himself.

Much of this fervour may be collected from his printed speeches, but let the reader of them, in justice to their author, recollect that he is a reader, not an auditor; thatthough he may find the words, and even these imperfectly recorded, he finds not all those accompaniments, without which the language is but a cold monumental image of the thoughts that once glowed with living energy. The words remain but the eye before which judges and juries have so often shrunk—the unaffected and finely varying tones of indignant remonstrance, or of tender expostulation—the solemn and pathetic pause that embodied in a moment's silence more of passion and persuasion than any

spoken eloquence could convey—for these, and for much more than these, the reader must necessarily look in vain; and without them his estimate of the orator's entire powers must be as conjectural, as if he should undertake to appreciate the merits of some departed ornament of the stage from a tame perusal of the scenes to which he alone had imparted all the warmth and dignity of life.

Mr. Curran's speeches have met with some unfavourable criticism out of Ireland; and, though many of the objections may be founded, many have also been made without a sufficient advertence to the scenes which accompanied their delivery. It is found that there are passages and descriptions too strong, and even shocking for the closet. One of their principal merits was, that they were never intended for the closet: they were intended for occasions of emergency and despair; to excite passions of such force as to counteract the violence of those that already raged; to rescue the accused, and not to propitiate the critic. Yet even the critic, who condemns the taste that could paint the perjured informer, and other public delinquents, in such loathsome colours as the Irish advocate employed, should remember, that upon this subject his own rules will justify an important distinction. A writer who, in works of mere invention where he has the selection of his topics, takes a delight in dwelling upon revolting ideas, may be justly accused of being unhappy and perverted in his taste; but this is only where the introduction of such images is gratuitous, and not naturally arising from the horror of the situation. We should proscribe such situations altogether, were we fastidiously to reject the only colours in which they could be painted. We do not complain of Burns for the "father's grey hairs sticking to the heft,"* nor of Campbell for the "life-blood oozing through the sod :"† Juliet is not hissed off the stage for her anticipated loathings in the tomb of the Capulets: so also it is but fair to judge of similar passages of Mr. Curran's oratory, and with this additional consideration, that instead of inventing, he was but describing existing facts and characters, in pourtraying which no language or illustration could surpass the nauseous. Before he had described the perjured witness as emerging from "those catacombs of living death, where the

* Tam O'Shanter. † O'Connor's child.

wretch that is buried a *man* lies till his heart has time to fester and dissolve, and is then dug up an *informer*," he had day after day seen those horrid apparitions stalk upon the public table, and he had himself been almost scared from his duty by the frightful glarings with which they would have converted the general execration into general dread, into the undissembled homage of deferential horror."*

A more sustainable objection to his style is the exuberance and occasional extravagance of his imagery. It would be no defence of him to say that he could not avoid it; that in the ardour of extemporaneous creation, his mind frequently lost all authority over its associations. It was, indeed, the fact, that his imagination did often tyrannise over his other faculties, and that many wayward ideas were precipitated into existence by the still pressing throng that followed before his taste had time to suppress or adorn them. This defect was, perhaps in some degree organic; perhaps discipline and caution might have corrected it; but unless he had altogether changed his modes of intellectual exercise, it could scarcely be expected that any care could have entirely removed it.

The dangers of offending against good taste depend in a great measure upon the class of the mental powers that are employed. They who confine themselves to the exercise of those of reasoning, may continue from day to day to give extemporaneous utterance to every idea; and though they fail in their logic with every breath, may still avoid the smallest violation of good taste. But when the mind ascends to subjects of invention and imagination, there is no longer this security. Where is the poet, the most intuitively correct, who does not reject much which at first had pleased; whose mind has not been even incommoded by the intrusion of many fan-

* "I have been eighteen years at this bar, and never until this year (1794) have I seen such witnesses supporting charges of this kind with such abandoned profligacy. In one case where men were on their trial for their lives, I felt myself involuntarily shrinking under your lordship's protection from the miscreant who leaped upon the table and announced himself a witness. I was trusting in God, that these strange exhibitions would be confined to the remote parts of the country. I was astonished to see them parading through the capital; but I feel that the night of unenlighted wretchedness is fast approaching, when a man shall be judged before he is tried—when the advocate shall be libelled for performing his duty to his client, that right of human nature when the victim shall be hunted down, not because he is criminal, but because he is obnoxious." *Mr. Curran's Defence of Dr. Drennan*, 1794.

tastic combinations, which instead of venturing to express in language, he crushes at the moment of their birth? And it is only by exercising this right over the children of his fancy, by condemning the deformed to an early death, that of those who are permitted to survive, none are without beauty and proportion. The orator who in the same way aspires to create, and who, like Mr. Curran, defers the work till he is excited by the presence of a public audience, has to encounter all the dangers of the poet, without enjoying his privileges. The same fervour and impetuosity that lead to felicity, will often hurry him into extravagance: the latter, once produced, cannot be recalled—he has no leisure to soften, and mould, and reconcile; and hence conceptions, which in his cooler moments he would have suppressed, or have rendered worthy of himself, remain irrevocably accusers of his taste.

But perhaps this subject will be most readily explained, by adverting to Mr. Curran's habits of preparation for public speaking.

From the first experiment of his talents, in London, till he had attained some eminence at the bar, he never composed his speeches for the purpose of delivering them from memory; but both at the debating societies, and during his early years at the bar, he used to assist his mind by ample notes upon the questions to which he had to speak. When his reputation rose, he for a while adopted the former method; but such written attempts having proved comparatively stiff and cold, and in every way greatly inferior to his more extemporaneous effusions, his own judgment, and the advice of his friends, induced him for ever to abandon that plan, and adhere to the one more suited to the habits and character of his mind.

There was something peculiar and desultory in his manner of considering the important questions that he had to meet. He very rarely retired formally to his closet: it was as he walked in the hall of the courts, or as he rode between Dublin and his country seat, or during his evening strolls through his own grounds, that he meditated his subjects. Sometimes as he lay in bed, he had (like Rousseau,* and with a more fortunate memory) creative visitations,

* "Je meditois dans mon lit a yeux fermes, et je tournois et retournois dans ma tete mes periodes avec des peines incroyables; puis quand j'etois parvenu a en etre content, je les deposois dans ma memoire, jusqu'a ce que

which he often declared were to him more delightful than repose. One of his most usual and favourite times of meditation, was when he had his violin or violoncello in his hand: he would thus forget himself for hours, running voluntaries over the strings, or executing some trivial air, while his imagination was far away, collecting its forces for the coming emergency.

Many of his finest passages were extemporaneous bursts, but many were thus prepared. It is, however, worth observing, that he seldom committed them *verbally* to memory. He contemplated the topics and images until he had secured them beyond the danger of escape, and when the occasion came, and the same train of associations was revived, his mind not so much recollected, as repeated anew the operations by which it had originally created. He had not the words of a single sentence by heart; he had the leading ideas, and trusted to their reappearance to recall the same diction and imagery which had been suggested at the first interview. But it almost invariably happened that his own expectations were far exceeded, and that when his mind came to be more intensely heated by his subject, and by that inspiring confidence which a public audience seldom fails to infuse into all who are sufficiently gifted to receive it, a multitude of new ideas, adding vigour or ornament, were given off; and it also happened, that in the same prolific moments, and as almost their inevitable consequence, some crude and fantastic notions escaped; which, if they impeach their author's taste, at least leave him the merit of a splendid fault which none but men of genius can commit.

This was the account that he gave of his own intellectual habits, which he recommended to the imitation of all who aspired to excel in oratory; for according to his idea of popular eloquence, a facility of extemporaneous creation and arrangement, and of adapting and modifying according to the occasion, the produce of previous meditation, was indispensable: without it a person might be an elegant composer, and a skilful reciter and actor, but being necessa-

je pusse les mettre sur le papier; mais le temps de me lever et de m'habiller me faisoit tout perdre, et quand je m'etois mis a mon papier, il ne me venoit presque plus rien de ce que j'avois compose."--*Confessions de Rousseau.*

rily at the mercy of every unforseen contingency, could never be an orator. The practice of writing speeches and delivering them from memory, he strongly reprobated; he considered that it not only cut off the speaker from the benefit of those accidental bursts which so often turn the fortune of the day, and for which no anticipating sagacity can provide; but that when exclusively persevered in for any time, it directly tended to debilitate his mind; that instead of habituating him to a manly confidence in his own resources, and to that generous surrender of himself to the enthusiasm of the moment, which can almost impart the gift of miracles to those who put their faith in it, and which, even where it leads astray, will carry away the audience in its train, it generated a noxious taste for verbel finery—for epigram, antithesis, and inanimate declamation; and along with this, a pusillanimous and irrecoverable apprehension of failing to be correct, so destructive of that spirit of adventure, and occasionally heedless intrepidity, without which there is no plunging into the deeper recesses of human passions. So strongly was he impressed with the opinion that real eloquence demanded the fullest measure of extemporaneous ardour and ability, that when, about a year before his death, he was urgently solicited to address a jury in defence of a friend against whom an action for a libel was depending, he could not bring himself to comply with the request, however honourable and complimentary; assigning as one of his reasons, his suspicion that after a *desuetude* of ten years, added to the more temperate and hesitating views which his judicial functions during that period had imposed, his mind might have become too rigid to yield to all the impulses of popular emotion with the same prompt and fortunate reliance which had secured the triumphs of his younger days.*

He was unaffectedly communicative to his young friends of the bar who consulted him on these subjects. Amongst other particu-

* One of Mr. Curran's greatest and longest efforts was his defence of Mr. Hamilton Rowan. The following is a copy of the notes from which he spoke upon that occasion, and their small number will show his dependence upon his own mind, without much technical aid.

"*To arms.* 2°. Reform—3° Catholic emancip.—4°. Convention—now unlawful—Consequence of conviction—Trials before revolution—Drowned—Lambert—Muir—Character of R.—furnace, &c.—Rebellion smothered stalks—Redeeming spirit."

lars, he used to tell them, that the peculiarities of his own person had had an influence in forming his style of public speaking. He was conscious that it wanted dignity and grace, and in the apprehension that vehemence might expose him to ridicule, he originally proposed to himself to become persuasive by a mild, expostulatory manner; but when he formed this resolution he was unaware of his own resources; his genius, as soon as exasperated into an exertion of its force, prevailed over all the suggestions of modest precaution. Still it may be observed in almost all his speeches, that the first propensity is perpetually declaring itself; that in the midst of all his arguments, and impetuosity, and invective, he never forgets to implore.

But independent of any study and design upon his part, it was here that he was by nature pre-eminently qualified to succeed. His speeches upon political subjects contain many affecting specimens of his pathetic powers; but it was in questions confined to individual interests, where the domestic or social relations had been abused, that he exhibited the entire extent of his command over all the softer emotions of the human breast. For the secret of this power he was little indebted to books, or to the artifices of rhetoric. Its source was in his habitually intense sensibility to the affecting scenes of real life, more peculiarly to those of domestic happiness or affection, as he witnessed them in their most natural and tender forms, among those humble classes with which his original condition had first familiarised him. While yet a boy he caught an inspiration of the plaintive genius of his country, where, after all, the national genius prefers to dwell—beneath the peasant's roof. According to his own account, it was in the Irish cabin that he first learned to weep for others. He found there, what all who stoop to enter may find, the rude elements of the finest and softest affections. It was there that his young fancy, powerfully impressed with the living spectacle of all those homely but vigorous movements of undisguised nature which touch the heart the most, unconsciously prepared itself for those pathetic descriptions at which future assemblies were to melt: and when the occasion came of calling upon his hearers for their sympathy, he had only to present to their imagina-

tion some of those pictures of tenderness or distress over which he had so often wept himself.

His pathos, however, was not confined to such delineations; much of its influence depends upon the solemn associations which it raises, upon its alliance with emotions of a higher order than individual suffering can produce. The pangs of a single victim may appeal most forcibly to our pity, but the more intense the feeling, the more it is in danger of failing in dignity. One of the charms of Mr. Curran's pathos is, that it is so often connected with patriotic sorrow, or with more extensive and enlightened regrets for the general fate of nations. He represents the great principles of freedom as outraged and depressed, and deplores their fall; but we are perpetually reminded that they deserved a nobler destiny, and are made to feel the same sentiment of exalted melancholy, with which we would bend over the grave of one of the illustrious dead. We may lament the loss as irretrievable, but in the utmost extremity of our grief, we are elevated by the consciousness that we bear an honourable testimony to our own sensibility to departed worth.

But it was not only by successful appeals to any single passion that he surpassed every forensic speaker of his country; the wonder that he excited was owing to the rapidity of his transitions from passion to passion, from the deepest emotions that agitate the soul up to the liveliest combinations of a playful imagination. And yet this the most extraordinary and distinguishing of his powers can never be fully comprehended by those who know him only through his graver and recorded efforts. It is upon the latter that his general and lasting fame must now depend; but in Ireland, while any of his cotemporaries who heard him survive, and perhaps long after they all shall have followed him to the grave, his name will enjoy a peculiar and scarcely less brilliant reputation in the traditional accounts of the numberless unpremeditated and magical effusions that have been no otherwise preserved; and which in the estimation of his admiring hearers would alone have rendered him the ornament and boast of the Irish bar. For more than twenty years those astonishingly varied talents, upon which the critic may now fear to pass too unqualified an encomium, converted the Irish courts of justice into a theatre of popular recreation, whither day after day

the multitude delighted to flock to behold the orator in whom they gloried, going, in the space of a few moments, his rounds of the human passions and the human faculties; alternately sublime, indignant, sarcastic, subtle, playful, pathetic.

This extreme versatility, if Mr. Curran be contemplated as a model, may be deemed a defect, but for every practical purpose its success was so decided as to justify his adopting it. Had his eloquence been more scholastic, had every topic of persuasion been selected with an eye to rhetorical observances, he would have escaped some literary reproaches, but he would have gained fewer triumphs. The juries among whom he was thrown, and for whom he originally formed his style, were not fastidious critics; they were more usually men abounding in rude unpolished sympathies, and who were ready to surrender the treasure, of which they scarcely knew the value, to him that offered them the most alluring toys. Whatever might have been his own better taste, as an advocate he soon discovered, that the surest way to persuade was to conciliate by amusing them. With them he found that his imagination might revel unrestrained; that, when once the work of intoxication was begun, every wayward fancy and wild expression was as acceptable and effectual as the most refined wit; and that the favour which they would have refused to the unattractive reasoner or to the too distant and formal orator, they had not the firmness to withhold, when solicited with the gay persuasive familiarity of a companion. These careless or licentious habits, encouraged by early applause and victory, were never thrown aside, and we can observe in almost all his productions, no matter how august the audience, or how solemn the occasion, that his mind is perpetually relapsing into its primitive indulgences.

But whatever judgment may now be passed upon those wanderings of fancy by which those who were actually allured away were too charmed to utter a reproach, it is impossible to withhold our admiration of those mental qualities in which the beauties and imperfections of Mr. Curran's eloquence had equally their origin. They both originated in that intense activity of the imaginative faculty which was the predominant characteristic of his mind. It was in the exceeding richness of this, that consisted the essential dis-

tinctive originality of his style. It was not that his reasonings were subtle, his topics imposing, or his periods flowing; all of these may be found in others; but that what he passionately conceived, he could convey in passion's proper idiom; that his mind had familiar access to a world of splendid and vigorous illustration, whence it could select at pleasure the clothing that might best adorn, or ennoble every favourite idea; it was that nature, in the profuseness of her bounty, "filling even to overflowing," had "o'er informed" him with that supplemental poetic sense, which, disdaining to recognise in objects their homely realities, is for ever delighting to invest them with attributes not their own, raising what is low, animating what is cold, veiling what is deformed, or again fearlessly tearing away the veil where some high moral purpose demands that the deformity beneath should be exposed and exaggerated, and thus by the agency of its own creations, imparting to what the vulgar eye might view with most indifference, imagined charms or visionary horror.

The images in which Mr. Curran excelled were not of that order which it requires, but a simple process of intellect, unconnected with much mental or physical emotion, to produce. There are some cultivated minds, to which so much varied knowledge is at all times present, that whatever be the subject of their thoughts, innumerable resemblances force themselves upon them, rendering them profusely figurative, but evidently without for a moment disturbing their tranquillity. But the Irish advocate's finest conceptions were the growth of the deepest sensibility. In his pathetic and descriptive bursts, so impressively did his language communicate to others the full extent of his emotions, that it might be said of him that at such moments he "felt aloud;" that his words were but the audible throbbings of his bosom labouring to vent itself in rapid, irregular, and abrupt gushes from the excess of feeling that oppressed it.

In producing this electric sympathy between the orator and his audience, there was something more than art can teach or than nature gives to many. Its original source was in his heart and spirit as much as in his talents; in his uncompromising and impassioned identification of himself with his subjects; in that chivalrous devotion to whatever principle he espoused, which impelled him boldly

to defy and silence its adversaries, by the proud tender of his own individual responsibility for its truth and honour. In this, there was much that belonged to the man, no less than to the advocate—much of previous character—of personal and mental intrepidity—of profound moral sensibility and its companion, moral pride, upon all the great questions of human rights and obligations. It was this extreme sensibility, combined (if not itself occasioned by) a superior intellect, that filled Mr. Curran's style with so much bold and vivid imagery. For it would be most unjust to attribute to him any deficiency of logical powers, because he so frequently supported the cause of freedom and morals, by sentiment and imagination. The very reverse was the fact. Of the dignity and importance of that cause, every sound understanding which reflects upon it is convinced; but there is a degree of intense conviction, known only to a few privileged minds, whose conclusions, instead of being the result of cold and wary deduction, flash upon them at once with all the light and warmth of instincts; and the consequence of this rapid perception is, that they either neglect or will not submit to a formal demonstration of what they have themselves thus intuitively acquired, or that assuming the truth to be equally evident to all, they think not so much of proving as of enforcing it by imposing illustration, and by addressing their hearers' imagination and passions, in order to kindle in them the courage or the shame, without which, in defiance of their conviction, the truth might be sacrificed to their fears or interests. This was constantly Mr. Curran's great object, and it was in effecting it that so much of his extraordinary power lay. Few speakers ever possessed such despotic controul over the honest passions of their audience, for few ever so unhesitatingly surrendered themselves to the inspiration of their own. He had the true popular temperament; there was no cold philosophic tranquillity about him, but all was life and action. His thoughts, style, and manner, "had certain vital signs." He was all his life contending for a cause, and he did it with no "half-faced fellowship;" he loved it "not wisely but too well," and not the less because it wanted friends. His cause was his religion, to which he adhered, under what he considered its persecution, with all the confiding, "desperate fidelity" of a martyr; and though his zeal might to

many appear mistaken, still it was zeal, real, disinterested and fervent, affecting from its sincerity even where its tendency was least approved, and not unfrequently communicating its flame by surprise to those who were most active in extinguishing it. At the period of those displays to which these observations more particularly refer, the times were "too deeply commoved" for affectation; his audiences saw and knew that he had none; his very irregularities proved it. He was not for ever reminding them that he was an orator; he had, not the art, but what was above art, the feeling and manliness to forget it himself. He did not consider that he was only acting a part of which the world might hereafter say, that it was well or ill supported; but that a great constitutional trust had devolved upon him, of which, heedless of the world's sentence upon his skill or conduct, he would rigidly perform all the solemn obligations. When midnight after midnight* he rose, "with darkness and with dangers compassed round," not so much with the expectation of averting his client's doom, as to show that all the decent rites of defence should be observed, or to give utterance to his own anguish at his country's fate, he took little thought of the future critic's comments. When "his soul was sick even unto fainting," he was not studying how "the stream of agony might flow decorously down his brow; how he should writhe with grace and groan in melody," Upon all those terrible occasions, he felt himself to be much more than the advocate of the mere individuals under trial; he had much to say that was not contained in his instructions. However, as a subject and a man, he might have condemned their projects or have bewailed their delusion, he still considered it his paramount duty, as the advocate of the thousands who were yet hesitating ere they plunged, and whom a gleam of mercy might recal and save—as the advocate of himself, of society, and of the last remnant of the constitution, the privilege of complaint—to discountenance the rage of public accusation, and to protest in his own person against the continuance of those fatal counsels, to which he referred so much of the disasters that he witnessed and predicted.

It is impossible to read a page of his speeches without observing how much the power depends upon this impassioned feeling; and

* Several of his speeches on the state trials were delivered at that hour.

how strikingly expressive of such a high temperature are the images that he employed. Numberless examples might be given, as the descriptions of the trial and execution of Orr—of the horrors of those distracted times—of the Irish informer—of "the perjured O'Brien,* a wretch who would dip the evangelists in blood"—of Reynolds, "who measured his importance by the coffins of his victims, and appreciated his fame in the field of evidence, as the Indian warrior did in fight, by the number of scalps with which he could swell his triumphs." Many of his images, when stript of the imposing phraseology, are remarkable for their simplicity and familiarity, and for that reason came more home to the bosoms of their hearers, as where he exclaims—"Is it possible you can bring yourselves to say to your country, when the measures of government are pregnant with danger, that at such a season the press ought to slumber upon its post, or sound nothing but adulation and praise, acting like the perfidious watchman on his round, who sees the robber wrenching the bolts or the flames bursting from the windows, while the inhabitant is wrapt in sleep, and cries out that 'the morning is fair and all is well?'" Or where, describing the extinction of the press, he thus concludes—"It is then that freedom is at its last grasp—it is then the honest man dares not speak, because truth is too dreadful to be told—it is then the proud man scorns to speak, but, like a sturdy physician, baffled by the wayward excesses of a dying patient, retires indignantly from the bed of an unhappy wretch, whose ear is too fastidious to bear the sound of wholesome advice—whose palate is too debauched to bear the salutary bitter that might redeem him, and therefore leaves him to the felonious piety of the slaves that talk to him of life, and strip him before he's cold."

To this extreme sensibility Mr. Curran could, for the most part, give expression in grave, energetic, and elevated language. Where the subjects before his mind were those of pity or eulogium, or of general description, passages without number may be cited, in which the most fastidious cannot complain that the dignity is unsustained. But when he was called upon, as he so often found

* "I have heard of assassination by sword, by pistol, and by dagger; but here is a wretch who would dip the evangelists in blood."

himself, to speak in terms of reprobation; when some great public wrongs, of which he had as quick a sense as of a personal outrage awakened his indignation, in the midst of more regular declamation, there were frequent intrusions of ludicrous association, which, at first view, may seem to form an unappropriate contrast with the prevailing solemnity of the occasion. In the generality of such instances, however, it will appear, upon a little consideration, that the levity is in the language and not in the ruling sentiment. Ordinary disapprobation may be conveyed in terms of ordinary and serious reproach; but in ardent natures, whose habit it is to *over-feel* upon every subject, whether of praise or censure, the sense of wrong, that in a common mind would stop at comparatively moderate indignation, becomes inflamed by their fancy into feelings of intense execration quite beyond the reach of formal invective to express. Such persons are seldom satisfied with gravely reproving what they condemn; it is not enough "to tell it how they hate it;" they know that the expression of their hatred alone will not detract from the dignity of its object; that it is often but the impotent railing of an inferior. Whether it be a public or a private delinquent that they denounce, they feel that they would be allowing him to escape almost with impunity, if they did not degrade him from his social or personal rank down to the level of his offence. To hatred they therefore add bitter ridicule; for ridicule, though not the test of truth, is the test of scorn and contempt. Humour for such a purpose (and it was for this that Mr. Curran most frequently employed it) is not levity; it has nothing of the sportings of a heart at ease, but its source is in the profoundest passion, and in that indignant haughtiness peculiar to the extreme of passion, which in its most violent paroxysm will assume a proud vindictive playfulness of exterior, lest the detested object should glory in the discovery of all the agitation that he excites, or lest it might be taken as a tribute to his importance to deem him worthy of a frown. It was in this impassioned, exaggerating spirit, upon which the particular talent of an advocate so much depends, that Mr. Curran approached every person or measure that he had occasion to arraign; whether the subject of his sarcasm happened to be a rival candidate, "whose voters might be seen coming in like the beasts

of the field, in droves, from their pastures, presenting a picture of human nature in a state of degradation such as never had been witnessed since Nebuchadnezzar was at grass;" or an Irish secretary, "regarding whom he would not imitate the ancient tyrant's practice of *torturing insects*;" or an English ministry, "a motley group, without virtue, or character, or talents—the sort of cabinet that we have laughed at on the stage, where 'the potent, grave, and reverend seniors' were composed of scene-shifters and candle-snuffers, robed in old curtains and wigged from the stores of the theatre;" or even though he should have to call the public attention to "the princely virtues and the imperial qualifications, the consummate wisdom and sagacity of our stedfast friend and ally, the Emperor of all the Russias—a constellation of all virtue, compared with whose radiance the Ursa Major but twinkles as the glowworm."

Over this, the most popular, and when skilfully managed, one of the most effective modes of attack, Mr. Curran's fancy gave him the entire command; and if he ever employed it to excess, or out of place, he but shared in the common failing of indolence and facility, that of preferring as best what is found the most easy and most successful. And here, in speaking of his facility in creating resemblances, whether of a humorous or a more elevated order, it is worthy of remark, that the history of his mind, in this respect, strongly favours the opinion that the powers of the imagination are as capable of improvement from cultivation as any other of the mental faculties. In Mr. Curran those powers were strikingly progressive; in his earlier attempts there is little of the usual exuberance of a juvenile imagination; they are, on the contrary, compared with his subsequent compositions, cold and prosaic, and, when considered as specimens of fancy, unworthy of the mind that produced them. The same remark applies to his conversation. It was by his conversation that he first attracted notice; but, however delightful in other respects, it was for a long time unilluminated by those gleams of poetic conception, which in his maturer years were incessantly bursting forth. The fact was (and in this his mind was peculiar) that his imagination developed itself with such extreme slowness, that it was not till he had been for some years a candidate

for public distinction that he became aware of the particular powers that were to secure his success. The consciousness of them came gradually, and was, as it were, forced upon him by the unlooked for effect of accidental and unpremeditated efforts: but becoming at length assured of the secret of his strength, his confidence, ambition, and industry were excited, and he then, almost for the first time, began formally and assiduously to encourage, both in public and private, those habits of imaginative creation, which were subsequently to form the prominent character of his mind. The consequence of thus keeping his imagination in perpetual exercise was most conspicuous, and as a mere metaphysical fact is not incurious or unimportant. So great was the facility and the fertility which it produced, that, in his latter years, scarcely an idea presented itself which did not come accompanied by some illustrative image. It was by the image that he generally preferred to express the idea, and accordingly his ordinary conversation, where he indulged in this propensity with the least reserve, presented such a series of original and apparently unlaboured illustrations, that he might almost be said to have habitually thought in metaphors.

Mr. Curran's speeches are generally referred to as instances of what is now denominated the Irish school of eloquence, the distinguishing quality of which is said to be the predominence of passion and imagination over solid argument. The correctness of this definition is questionable. It is true that the eminent persons who have employed this style perpetually express their thoughts in impassioned and figurative language, but there is no incompatibility between such a mode of expression and the profoundest reasoning. When a person addresses a public body, he does not proceed, like a mathematician, rigidly to demonstrate through each link of the chain the validity of every conclusion. A speaker who should attempt to make such a parade of logical exactness would soon discover that his audience would never submit to so harassing a tax upon their attention. The popular orator is necessarily obliged to throw out his conclusions in separate, unconnected masses. To try their value, we are not to ask if they are deducible from what has immediately preceded. They often are not so: they are often the results of previous meditation, which he has stored in his memory,

and takes occasion to advance as they happen to be *suggested* by the topics under discussion; although, strictly speaking, there may be no logical connexion between them. Their value is, therefore, to be ascertained, not by examining them as deductions from his previous matter, but by inquiring into the correctness of that original process of reasoning by which alone his mind could have acquired them; and if what the orator puts forward in the form of assertions appear, upon investigation, to be capable of demonstration, it is manifest that his matter is not less argumentative because he conveys it in a figurative diction. The profoundest moral and political truths may be conveyed as well in figurative as in literal language. The strength of a thought depends as little as that of a man upon dress. We may disapprove of the taste which needlessly decks it out in gaudy attire; but we are not, for that reason, to question its native force, and still less when it comes appropriately adorned with the richest clothing of a poetic imagination.

But whatever may be the merits of this style, it does not appear to have been for any length of time peculiar to the Irish people.* It was unknown in Ireland before the present reign. We do not find it to any extent in the productions of Swift, Goldsmith, or Sterne, the three most popular writers of that country. There is infinitely more of passion, and of the higher order of fancy, which is termed imagination, in the prose works of some of the eminent English writers of the seventeenth century.† This figurative style was introduced into the Irish house of commons about the period of Ireland's great struggle for her independence. An opinion prevails that Burke was its original founder; but though Burke might have employed it in the British senate a few years before that period, it is a violent assumption to suppose that the eminent leaders in the Irish parliament should have unanimously dismissed their previous ideas of oratorical composition, in order to become his imitators.

* This observation is to be understood to apply to the literary productions of the educated classes. The idiom of the native Irish language is highly figurative, and has a sensible influence upon the minds of the lower orders; but it would be difficult to show that this influence has ever extended much beyond them.

† Of this, numerous examples might be produced from the prose-works of Milton, the writings of Jeremy Taylor, Lord Bacon, &c.

There is also the strongest internal evidence against the supposition. An imitator does not copy merely the leading qualities of his model; he unconsciously conforms to it in every particular—in the structure of his periods, favourite forms of expressions, and other minute observances, which perpetually betray his secret. Let the speeches of Burke be compared with those of Mr. Grattan, the most eloquent of the Irish senators, and nôt a trace of such imitation can be detected: no two styles (as far as regards the diction and verbal construction) can be more different. Burke's language is rhetorical and copious, even to profuseness. He leaves nothing to be supplied by his hearers. He addresses them as persons previously unacquainted with the subject, and becomes so explanatory, that he seems determined not to leave off till he forces them to understand it. Mr. Grattan is the reverse—abrupt, condensed, and epigrammatic, rejecting the connecting particles of speech, and often the connecting ideas, as expletives and incumbrances. He throws off his matter in the form of a table of the contents of his mind.

If any single individual could be said to have laid the foundation of this style, it might equally be traced to the great Lord Chatham, many of whose impassioned bursts belong to that order of eloquence which was so general in the Irish house of commons: but its prevalence in that assembly can be more naturally and satisfactorily explained by the condition of the times, and the nature of the subjects which agitated the nation. In the various stages of political society, there is none so favourable to popular eloquence as that in which the advantages of freedom are fully appreciated by the intellectual classes, but are in danger of being lost, or are unjustly withheld. This may be either at that period of national decline, when, from the corruption of morals, and its unerring signs, the venality of every rank, and a general contempt for established institutions, liberty is imperfectly secured against foreign invasion, or the licentious ambition of powerful subjects. Such was the case when eloquence most flourished in Greece and Rome. Or it may be when a people is just emerging from bondage—in that anxious interval between the first signs of returning life in the national body and its perfect reanimation, when violent and repeated shocks are

necessary to rekindle its spirit, and preserve it from relapsing into torpor. This was the condition of Ireland. At such a period the advocates of popular rights could not confine themselves within the limits of temperate discussion. The flagrant abuses—the shameless stand made against their reformation—the notorious venality and worthlessness of those who made it—the natural pride and generous impatience of men, who found their honest efforts counteracted by a race of beings whom they despised, necessarily impelled them to give utterance to their indignation in all the vehemence of the most passionate remonstrance. These circumstances of themselves—the deep sense of their country's wrongs, and of the necessity of animating it, and exposing its oppressors—will sufficiently explain the peculiarities of their oratory. Figurative language is the natural idiomatic style of invective and complaint; the sufferer (or the advocate who represents him) finds a melancholy consolation in painting his misery in the most vivid colours that an exasperated imagination can supply. There is a feeling of high-minded self-love in the victim, whose spirit is not utterly enslaved, which leads him to exaggerate, if possible, the injustice under which he groans, and proudly to justify himself against his destiny. The English house of commons affords a corroboration of these remarks. Whenever the same impassioned style of eloquence has been heard there, it has almost invariably proceeded, not from the ministerial members defending the wisdom and expediency of their acts, but from the leaders of the opposition inveighing against measures which they held to be dishonourable or oppressive.

In addition to the general influence which Burke is supposed to have had upon the oratory of his countrymen, it has been often observed, that a strong individual resemblance may be discovered between him and Mr. Curran. It is very doubtful praise to say of any one that he differed from Burke: still, if the two men be attentively compared, it must be admitted, that in many leading points, they were strikingly dissimilar. Thus (without attempting an elaborate analysis of their respective qualities), to advert to the most obvious differences. Both possessed the faculties of reason and imagination in a high degree; but the general maxims to which those powers conducted them were strongly contrasted. In

all his general views of society, Burke's mind discovers a deep respect for power, for "rank, and office, and title, and all the solemn plausibilities of the world." He reviewed the history of the world, and, pausing over the institutions which had affected its destiny, reverenced them for the greatness of their effects. Mr. Curran looked at institutions as connected with freedom; and, where he found a tendency in them to enslave the human mind, forgot all their imposing grandeur in that single evil. Thus Burke's imagination contemplated, "with an awful gravity," the age of chivalry (the times of our "canonized forefathers" as a splendid array of pageantry, gallantry, and deeds of arms, with its proud "bearings and ensigns armorial," and all those images of power which "carry an imposing and majestic aspect." The other remembered its oppressions, and was never heard to lament that "the age of chivalry was gone. The same leaning to power may be observed in Burke's pathetical effusions. His most affecting lamentations are over fallen greatness. Mr. Curran's pathos was less ambitious, but more social and extensive, embracing the sufferings of every rank. The pathos of the one was more that of the schools—the sublime epic pathos of antiquity. He was most touched by historical viscissitudes. He hung over the royal corse and wept from the recollection that the head, now prostrate in the dust, had lately worn a crown. The other's tears were not reserved for the misfortunes of the great—he did not disdain to shift the scene of distress from the palace to the cottage or the dungeon, and to sympathize with those obscure afflictions which history does not condescend to record, but which man is destined hourly to endure.

Burke's acquired knowledge was more extensive, and his mind more scientific and discursive. He looked upon the great scene of human affairs as a problem for a philosopher to resolve, and delighted in those wide comprehensive views where much intermediate balancing and combination must precede the final result. No one could better describe the spirit of a particular age, or the condition and resources of a powerful empire. Mr. Curran's genius was less philosophic, but more popular. He had more confined his studies to the human passions and feelings as he observed them in active operation before him. His general views were derived

from his own experience rather than from historical instruction. He had witnessed so much of the abuses of power, that he acquired a hatred of and contempt for it; and his chief skill lay in exposing those abuses. He could best describe a scene of local or individual oppression, and lay bare, for public execration, "the infernal workings of the hearts of the malignant slaves" who were its instruments.

Many particulars in which they differed may be attributed to their respective situations. They were cotemporaries; but they lived in such different countries, that they might be said to have lived in a different age. Burke's life was passed under a political system, which (whatever might be its theoretic imperfections) was diffusing real blessings all around; and to leave it as he found it was the wise end of all his efforts. The other lived under a system, which, with "many shows of seeming pure," was an actual curse; and his life was a long struggle to inspire his country with the spirit to reform it. These different objects of each—of the one to preserve freedom, of the other to obtain it—gave a different character to their oratory. Burke's wisdom had taught him the dangers of popular innovation; and he would have protected, even under the shield of superstition, the institutions over which he watched. There is a certain oracular pride and pomp in his manner of announcing important political truths, as if they were awful mysteries which the uninitiated crowd were to reverence from afar. Like the high priest of old, he would have inspired a sacred dread of approaching the inmost temple, lest some profane intruder should discover and proclaim that the god was not there. The spectacle of misrule in Ireland had, on the contrary, impressed upon Mr. Curran's mind the necessity of animating the people with a spirit of fearless inquiry. To do this he had to awaken them to a sense of their importance and their claims, by gratifying their self-love, and filling them with the persuasion, that there was no truth which they were not fitted to examine and comprehend.

Burke is more instructive and commanding than persuasive. He looked upon the people from an eminence, from which he saw them under their diminished forms, and betrayed a consciousness that he was above them. The other remained below—threw himself

among them—and, persuading them that they were equals, by that means became the master of their movements.

This is the most striking distinction in the impressions which they make upon us—that we feel the one to be our superior, and imagine the other to be only a companion. In Burke's most exalting conceptions there is a gorgeous display of knowledge and intellect, which reminds us of our inferiority and our incapacity to ascend without his aid. The popular charm of the other's eloquence is, that it makes us only feel more intensely what we have felt before. In his loftiest flights, we are conscious of being elevated with him, and for the moment forget that we soar upon another's wing; for the elements of his sublimity are the passions in which we all partake; and, when he wakes the living chords to their highest extacy, it is not that he strikes one which was never touched before, but that he gives a longer and louder vibration to the chords which are never still.

The history of each exemplifies their characters. Burke was a philosopher, and could transplant his sympathies. He went abroad, and passed his life admiring and enjoying the benefits of "his adopted, and dearer, and more comprehensive country." Mr. Curran was a patriot, whose affections, could he have torn them from their native bed, would have drooped in another soil. He staid at home, and closed his days in deploring the calamities which he had vainly laboured to avert.

CHAPTER XIX.

Mr. Curran's skill in cross-examination—his general reading—His conversation—His wit—Manuscript thoughts on various subjects—His manners, person—Personal peculiarities Conclusion.

Next to the force of Mr. Curran's eloquence was the skill of his cross-examinations, a department of his profession in which he was, perhaps, still more unrivalled than as a speaker. Of the extent of this talent it is impossible that any description or examples can convey an adequate idea to those who have never witnessed the living scene; but the bar, who alone could fully appreciate his resources, for they alone were fully sensible of the difficulties in each case against which he had to contend, have unanimously allowed that his address and sagacity as a cross-examiner were altogether matchless. It was, perhaps, here that as an advocate he was most feared and most resistless. In cases where there was some latent fraud or perjury, in exposing which his whole strength was always most conspicuously developed, he uniformly surprised his own profession no less than the general spectator, by the singular versatility of his powers, and by his familiarity with every variety of human character, at once so extensive and so minute, that he could discover at a glance the exact tone and manner best calculated to persuade, terrify, or entrap into a confession of the truth, the particular description of person upon whom he had to work. In managing a sullen or dishonest witness there was nothing that he left untried; solemnity, menace, ridicule, pathos, flattery, and even for the moment respectful submission. In contests of this kind he had, in an eminent degree, the art of "stooping to conquer." If a few insidious compliments to the witness's understanding, and an apparently cordial assent to all his assertions and opinions, or a long series of jests, no matter whether good or bad, seemed likely to throw him off his guard, he never hesitated;* his favourite method

* The following may be taken as a specimen of the ludicrous phraseology to which he sometimes resorted: A witness having sworn that as he was returning, at a late hour, from a supper party, he was assaulted by Mr. Curran's client, the counsel, in his cross-examination, asked him—"if the number of eggs that composed his supper was not more than that of the graces

was by some such artifice to divert his attention, or to press him with pretended earnestness upon some trivial irrelevant point until he found the witness elated with his fancied security, and then to drop, as it were incidentally, and with a tone of indifference as to the answer, or in a manner implying that it had been already admitted, some vital question, to which, in all probability, the desired reply would be given before the perjurer had time to recollect whether he had previously asserted or denied the fact. So unexpected and surprising were his discoveries of a person's character and morals, from external indications so slight as to be imperceptible to others, that the lower orders of his countrymen had an almost superstitious reverence for his abilities, as if he were gifted with a supernatural power of "looking through the deeds of men." From the prevalence of this opinion, his name was the proverbial terror of the Irish informer. Even those wretches who, in "drudging for a pardon," or a reward, had so steeled their conscience against remorse and shame, that they could hear unmoved the deep buzz of smothered execrations with which the multitude announced their approach, and even glory in their indifference to the "sound of public scorn," had not the nerves to sustain his torturing development of their unrighteous lives. They were not only abashed and confounded by that art, which he so consummately possessed, of involving them in prevarication, by confronting them with themselves, but they have been actually seen, as if under a momentary shock of virtuous panic, to plunge from off the public table, and fly to shelter from his upbraiding presence, leaving the rescued victims to reward by their blessings their advocate ane saviour.

It will not be necessary to dwell at any length upon Mr. Curran's character as a lawyer. He was never profoundly read; but his mind had firmly seized all the leading principles of the English code, more particularly those of constitutional law; and he was always considered by the members of his own profession to have dis-

and equal to that of the muses?—if he did not usually drink a little coarse wine at dinner, by way of foundation to keep the claret out of the wet? if he did not swallow a squib after dinner, by way of Latin for his goose? and if, after his foundation of white wine, with a superstructure of three pints of claret, a stratum of nine eggs, a pint of porter, and a supra-cargo of three pints of Geneva punch, his judgment was not a little under the *proof*?"

played eminent skill in his logical application of them. In the earlier part of his career his reasoning powers were admitted to have been of the first order, until the splendour of his eloquence gave rise to the unfounded notion, that where there was so much imagination the faculty of reason must have been deficient. But some of his published arguments amply refute this opinion.

His judicial history contains little requiring particular notice. Upon the bench he religiously respected those privileges which at the bar he had so strenuously supported. If he fell into any error upon this point, it was that his abhorrence of favouritism often led him to be over-scrupulous in granting any indulgence, where the counsel claiming it happened to be one of his personal friends.

With regard to his general reading, much of it may be collected from his speeches. The frequency of classical and scriptural allusions, and of expressions borrowed from the English poets, sufficiently point out the writings with which he was most familiar. He was never deeply versed in general history; he had, however, studied with attention and success that portion of it (the great constitutional epochs in the history of Great Britain and Ireland) which it was peculiarly incumbent on him, as a lawyer and a senator, to know. The enthusiasm with which, in a passage already cited, he has described the scientific and literary genius of Scotland, proves the impression made upon him by the noble productions of that intellectual people. His early knowledge of the French language has been mentioned. He continued to cultivate it during the rest of his life; and though his study of it was only occasional and desultory, and his residence in France never exceeded a few weeks at a time, he spoke and wrote it with unusual correctness. It may be added, as a peculiarity of his taste, that he used to express himself to be more sensible of the beauties of that language than of his own. Among the French serious writers he always preferred Rousseau. He understood Italian sufficiently well to comprehend the popular poetry of modern Italy; but Italian literature was never one of his favourite pursuits.

After having stated so much in commendation of Mr. Curran's intellectual superiority, it may seem like the spirit of boundless eulogium to go on; but who, that ever knew him, could dismiss his

life without dwelling for a moment upon his colloquial and convivial powers? As a companion, he was, in his own country, confessedly without a rival. In speaking of the charms of his conversation, it would be exceeding the truth to assert, as has sometimes been done, that the creations of his careless hours were often more vivid and felicitous, than his more studied public efforts; yet is it no small praise to be justified in saying, that they were equal, or nearly equal; that few who approached him, attracted by his general reputation, ever left him without having their admiration confirmed, if not increased, by the vigour and originality of his ordinary conversation. According to the testimony of those who had enjoyed his society at an earlier period, some of its attractions had latterly disappeared. The survivors of the "Monks of St. Patrick," are those who best can tell what Mr. Curran was at the festive board. It was in that season of youth and hope, when exalted by the spirit of their classic and patriotic meetings, and surrounded by "those admired and respected, and beloved companions;" that his mind surrendered itself to every emotion of social enthusiasm, throwing off in exhaustless profusion every thought that could touch the fancy or the heart. No laboured description can now convey an adequate notion of those effusions. The graver parts, had they been preserved, would have been found to resemble many admired passages in his printed speeches; but the lighter and most frequent sallies, deriving their charm from minute and evanescent combinations of characters, and circumstances, have necessarily perished with the occasions for which alone they were intended.

Numerous specimens of his wit have been preserved, from which its style, rather than its extent, may be collected. It may be generally observed of his wit, that it delighted, not so much from the naked merit of any single efforts, as from the incessancy and unexpectedness of its combinations. It also possessed one quality, which is above all value, that of never inflicting an undeserved wound. In all those cases where the words might seem to intend a personal reflection, he never failed to neutralize the poison by a playful ironical manner which testified his own disbelief of what he was asserting. It would be difficult to produce an equal number

of pointed sayings, in which the spirit consists so little in particular or general satire; neither do they appear, like the humorous sallies of many celebrated wits, to have been dictated by any peculiar set of speculative opinions. The sceptic, the misanthrope, the voluptuary, and all, in short, who habitually look at the business of life through the medium of their particular doctrines, are perpetually betraying in their mirth some open or lurking application to their favourite tenets: the instances of their wit, if accurately examined, may be resolved into illustrations of their system. Thus the humour of Voltaire is for ever reminding us of his impiety; that of Swift, of his splenetic contempt of human folly; but almost all of Mr. Curran's lively sayings were suggested at the moment by the immediate circumstances and persons, or verbal associations; they are in general insulated and individual, ending where they began, and not referrible to any previous systematic views of human affairs.*

* An entire collection of the *bons mots* attributed to Mr. Curran would fill many pages. The following are selected as a few specimens. In all of them it will be seen how much less the essence depends upon the satire than upon the fanciful combination of words or images.

Mr. Curran was engaged in a legal argument—behind him stood his colleague, a gentleman whose person was remarkably tall and slender, and who had originally designed to take orders. The judge observing that the case under discussion involved a question of ecclesiastical law—"Then," said Mr. Curran, "I can refer your lordship to a high authority behind me, who was once intended for the *church*, though (*in a whisper to a friend beside him*) in my opinion he was fitter for the *steeple*."

An officer of one of the courts, named Halfpenny, having frequently interrupted Mr. Curran, the judge peremptorily ordered him to be silent, and sit down. "I thank your lordship," said the counsel, "for having at length *nailed that rap to the counter*."

"I can't tell you, Curran," observed an Irish nobleman, who had voted for the Union, "how frightful our old house of Commons appears to me." "Ah! my lord," replied the other, "it is only natural for murderers to be afraid of ghosts."

A deceased judge had a defect in one of his limbs, from which, when he walked, one foot described almost a circle round the other. Mr. Curran being asked how his lordship still contrived to walk so fast, answered—"don't you see that one leg goes before like a tipstaff, and clears the way for the other?"

Mr. Curran, cross-examining a horse-jockey's servant, asked his master's age. "I never put my hand in his mouth to try," answered the witness. The laugh was against the counsel, till he retorted—"you did perfectly right, friend, for your master is said to be a *great bite*."

A miniature painter, upon his cross-examination by Mr. Curran, was made to confess that he had carried his improper freedoms with a particular lady so far as to attempt to put his arm round her waist. "Then, sir," said the counsel, "I suppose you took that waist (*waste*) for a *common*."

Mr. Horne Tooke, after having passed an evening in the company of Mr. Curran and the late Mr. Sheridan, whom he had, upon that occasion, for the first time met together, was asked his opinion of the wit of each. He replied, "that Sheridan's was like steel highly polished, and sharpened for display and use; that Curran's was a mine of virgin gold, incessantly crumbling away from its own richness."

The celebrated Madame De Stael, who during her last residence in England, was surrounded by persons the most distinguished for talent, frequently observed that she had been most struck by the originality and variety of Mr. Curran's colloquial powers. This was in 1813, when his health and spirits were in a state of depression, which rendered the effort to support his part in such company a painful exertion.*

Among his papers there are a few sheets covered with thoughts loosely thrown together, from which a few extracts may convey some idea of the more striking passages of his conversation.

"England has been industriously taught to believe, that whatever degrades or tortures this devoted country is essentially good for her; and that if some supernatural spirit (a Popish imp to be sure) were to take advantage of some dark night, and in the morning the Irish peasant should awake in astonishment to find his cottage

"No man," said a wealthy, but a weak-headed barrister, "should be admitted to the bar who has not an independent landed property." "May I ask, sir," said Mr. Curran, "how many acres make a *wise-acre?*"

"Would you not have known this boy to be my son, from his resemblance to me?" asked a gentleman. Mr. Curran answered—"Yes, sir; the maker's name is stamped upon the *blade.*"

Mr. Curran was asked what an Irish gentleman, just arrived in England, could mean by perpetually putting out his tongue? Answer—"I suppose he's trying to *catch the English accent.*"

At a public dinner he was defending his countrymen against the imputation of being a naturally vicious race. "Many of our faults, for instance, (said he) arise from our too free use of the circulating medium (*pointing to the wine,*) but I never heard of an Irishman being *born drunk.*"

* Alluding in a private letter to one of those parties, he says, "I dined yesterday with a society of wits at Madame de Stael's; Sheridan, other great names, &c. I find that even sugar may cloy. Perhaps there is no society in which less bona-fide cordiality reigns. In truth where can you look to find so much false money as among coiners by trade? Believe me I have passed much pleasanter evenings at Whitehall."*

* A country-place in the vicinity of Dublin.

with its roof thatched, and its floor dried, and clothes and food miraculously supplied for his children, I can scarcely doubt that when certain intelligence of so disaffected a visiter had arrived in Britain, a solemn fast and humiliation would be proclaimed by our orthodox rulers to expiate whatever of our crimes had drawn down so heavy a punishment, and to atone for the offence, for example, of abolishing the slave trade, and to show our contrition by giving it a five years reprieve, that so it might recover itself and live for ever, to the satisfaction of a merciful God, and the true glory of his holy religion."

(" *Bourbons: freedom of the press.*)—Perhaps exile is the bitterest ingredient of captivity. The Jew felt it so, when he wept by the waters of Babylon. If adversity ever becomes a teacher, surely her school ought to be found in exile."

" (*Christianity.*)—The first ages were hypocrisy and imposture. These soon excited their natural enemy, free thinking. Religion could have been no party in the conflict. She was neither a sophist nor a poet; she had little dealing with rhetoric or metaphysics; but at last, when Hypocrisy and Atheism have made peace, she may come round again."

(" *Lord*——.)—These small folks are as much afraid of the press, as Robinson Crusoe's man Friday was of the musquet, when he 'prayed massa gun don't go off and kill poor wild man.' "

" (*How hold Ireland.*)—The upper orders gone and the remains following. The people agriculturists.

" (*Agriculture.*)—The mother and nurse of a military population. Ireland has been forced to this. It was thought that she was sunk under the arbitrary tyranny of British monopoly. Let the proud Briton regale himself in the wholesome air of mines and workshops, and become ossified in the strengthening attitudes of monotonous labour, while the degraded Irishman draws health and number, and fierceness, and force, and becomes too nimble to be caught by his crippled owner, who hobbles after him and threatens him with his crutch.

" (*Irish administration.*)—I should much sooner presume to speak out against the solid substance of an English ministry, than venture on a whisper against their shadows in Ireland.

"I know the seeming moderation of these men, but I fear it is like the moderation of the drunkard who glories in the sobriety of the morning; who mistakes exhaustion for contrition, and is vain of a reformation that stole upon him while he slept."

"To inflame the public mind on a point of theology, was to divert them from the great point of national oppression on which the country could not but be unanimous, and to turn it to one on which England would be against us."

"I don't hesitate to say, that a good government would in a week have Ireland tranquil.

"Putting out the law will never do; but here the insurrection act was clearly a topic in argument, not a measure of necessity.

"In all countries revolutions have been produced by the abuses of power. If you would mark the process of force, look to 98."

"The tyrant may say to the slave, you are bound in conscience to submit—the slave may put the question to his conscience, and receive a very different answer."

"Obedience is founded on allegiance and protection; but if an idea is held out that a nation, containing at least two-thirds of the military population of the empire, is to remain upon her knees in hope of the interval when cruelty and folly may work themselves to rest, and humanity and justice awaken—I say, forbid it the living God! that victim man should not make his election between danger and degradation, and make a struggle for that freedom, without which the worship of his name has no value."

Mr. Curran's manners were remarkably simple and unassuming. In his youth, before his value was sufficiently ascertained to procure him uniform respect, he occasionally exhibited before his superiors in rank some signs of that pride with which men of genius are disposed to assert their dignity; he never indulged however in this feeling to an offensive degree. The early and long continued habit of his mind, was to underrate his own talents and importance. It was only where he imagined that some slight was intended, that he showed a consciousness of his claims; but the occasions of exci-

ting his vanity or indignation on this point entirely ceasing as his character became known, the feeling itself was soon extinguished.

In his daily intercourse, he scrupulously avoided an ordinary failing of superior men, that of impressing upon less gifted persons a sense of their inferiority. In this department of the business of life, he eminently possessed (to use a favourite expression of his own) that nice *tact*, which taught him to accommodate his style and sentiments to the various characters and capacities of those with whom he conversed. However humble their rank or pretensions, he listened with good humour to all they had to offer, and was never betrayed into a ridicule of those little demonstrations of vanity and self-love, which they who mix in the world have to encounter every moment.

In his political relations, he was not vindictive. The prominent and decided part which he took in public affairs necessarily involved him in many enmities, which the condition of the times, and the nature of the questions at issue, inflamed into the highest state of exasperation; but as soon as the first fever of passion and indignation had subsided, he evinced a more forgiving disposition than he found among his opponents. In his latter years, he spoke of the injuries which he had sustained from Lord Clare and many others, with a degree of moderation which could scarcely have been expected from a person of his quick and ardent temperament.*

Mr. Curran's person was short, slender, and ungraceful, resembling rather the form of a youth not yet fully developed, than the compact stature of a man. His face was as devoid of beauty as his frame. His complexion was of that deep muddy tinge by

* A few years before his death, Mr. Curran strolled one day into the Poet's Corner in Westminster Abbey. As he contemplated the monuments, he became deeply affected by the spectacle of mortality on every side, and for the moment dismissing every harsher feeling, gave up his mind to the solemn reflections which the scene was calculated to inspire. "The holy influence of the spot (to adopt the words of an illustrious countryman of his in relating this circumstance) had so subdued him, that he began to weep." While he was in this softened mood, he observed at a little distance his old antagonist Doctor Duigenan. Mr. Curran, considering that they were both to be soon beyond the possibility of further contention, and that no place could be more suited for the exchange of mutual forgiveness, approached, and affectionately offered him his hand. "I shall never take Mr. Curran's hand," replied the doctor, and abruptly turned away.

which Dean Swift's is said to have been distinguished. He had a dark, glistening, intellectual eye, high arched, and thickly covered brows, strong, uncurled, jet-black hair, which lay flat upon his forehead and temples. When his thoughts were unoccupied (which was rare) his features were not particularly expressive; but the moment he became animated, there was a rush of mind into his countenance which dilated every fibre, and impressed upon it a character of peculiar energy and genius.

His voice was not naturally powerful or musical; but he managed it so skilfully, that it gave full expression to every feeling and passion which it had to convey. Its unrivalled excellency lay in communicating solemn and pathetic sentiments. In private and serious conversation, it was remarkable for a certain plaintive sincerity of tone, which incessantly reminded those who knew him of the melancholy that predominated in his constitution. His delivery, both in public and private, was slow, and his articulation uncommonly distinct. He was scrupulous in his choice of words, and often paused to search for the most expressive. His powers of language and delivery were the result of assiduous industry and observation. There was nothing, however minute, connected with the subject, which he deemed beneath his attention.*

It is perhaps time to close this account; yet as many might feel disappointed at the omission of those minuter traits which render the individual still more peculiar and distinct, and bring him into a kind of personal acquaintance with those who never saw him, some passing notice shall be taken of the more striking features of this subordinate class, which separated Mr. Curran from other men.

One of his great peculiarities was, that, in the most trivial things, he was peculiar. He did not sit in his chair like other persons: he was perpetually changing his position, throwing himself into attitudes of thinking, and betraying, by the incessant play of shifting expressions on his countenance, that there was something within

* He sometimes mispronounced the word "tribunal," throwing the accent upon the first syllable. When reminded of the error, he alleged in his excuse, that, having once heard the word so pronounced by Lord Moira, whom he considered a model of classical pronunciation, he adopted his method; and, though subsequently aware of the incorrectness, unconsciously repeated it.

which was impatient of repose. It was the same when he walked or rode. Long before his features could be discerned, his friends recognized him from afar by the back of the hand firmly compressed upon the hip, his head raised towards the sky, and momentarily turning round, as if searching for objects of observation; or, if he was in conversation, by the earnest waving of his body, and the fervour of his gesticulation. These were the external signs of that latent impulse which was the source of his genius. One of the most extraordinary circumstances in his constitution was the length of time to which this impulse could continue to act with undiminished force. He used to assure his intimates, that, long after the body's exhaustion had incapacitated him for farther exertion, he felt a consciousness that the vigour of his mind was unimpaired. Even his capacity of dispensing with bodily rest, considering the apparent delicacy of his frame, was surprising. During the more active period of his life, he frequently sacrificed a night's rest with impunity. After passing the day in his professional occupations, and one half of the night in the house of commons, and the other in the convivial meetings of the leaders of his party, he re-appeared on the succeeding morning in the courts, as fresh for the ensuing labours of the day as if he had spent the interval in renovating sleep. There were, in his more ordinary habits, many similar indications that his frame was, as it were, overcharged with life. In his conversation his fancy generally became more brilliant as the night advanced. He retired to bed with reluctance; and his friends often remarked, that he was seldom so eloquent and fascinating as after he had risen from his chair, momentarily about to depart, but still lingering and delighting them—"indulgens animo, pes tardus erat." In his own house, after his guests had retired to their chambers, he seized any excuse for following one of them, and renewing the conversation for another hour; and the person thus intruded upon seldom considered himself the least fortunate of the party. It appears from all this, that Mr. Curran was not much addicted to sleep. One reason why his frame required so little may have been, that his sleep was generally most profound, and uninterrupted by dreams. The latter circumstance he often regretted, for he was inclined to think that the throng of fantastic ideas which

present themselves in dreams, might, if carefully attended to, have supplied him with new sources of poetic imagery.

In his diet he was constitutionally temperate: he eat little, and was extremely indifferent regarding the quality of his fare. For the greater part of his life he was subject to a debility of the stomach, which, though it could scarcely be called a disease, was yet so permanent as to be the source of the utmost inconvenience. Whenever dinner was delayed beyond the expected time, the irritation of his stomach became so intolerable, that he was frequently obliged to retire altogether from the company. From his attachment to the pleasures of convivial society, he was supposed to have been addicted to wine; but the fact was that a very small quantity excited him; and, whenever he drank to any excess (as was sometimes the case in large companies) it was rather mechanically and from inattention than from choice. When left to his natural propensities, he was almost as temperate in this respect as in his food. At his own table he was hospitable and unceremonious. In every transaction of common life, he disliked and despised the affectation of state. His maxim was, that the festive board should be a little republic, where the host, having previously provided whatever was necessary for the general interest, should appear with no greater privileges or responsibilities than a guest.

From the same distaste to show, he was always remarkable for the plainness, and even negligence, of his external dress; but he paid the most scrupulous attention to personal cleanliness. His regular custom was to plunge every morning when he rose into cold water. It may be generally added, that, in all his ordinary habits, in his house, his equipage, his style of living, of travelling, &c.—the same republican simplicity prevailed. During the two or three last years of his life, he might often be seen, on the road between London and Cheltenham, seated outside one of the public coaches, and engaged in familiar conversation with the other passengers.

His constitutional tendency to melancholy has been already noticed: yet, in the familiar intercourse of daily life, the prominent characteristic of his mind was its incessant playfulness—a quality which rendered his society peculiarly acceptable among females and young persons. He took great delight in conversing with little

children, whom he generally contrived to lead into the most exquisitely comical dialogues. He was fond of giving ludicrous appellations to the places and persons around him. His friend Mr. Hudson the dentist's house was built in "the Tuscan order"—a celebrated snuff-manufacturer's country-seat was "Sneeze-town"—the libraries at watering-places were "slopshops of literature." He called a commander of yeomanry (who dealed largely in flour) "Marshal Sacks"—a lawyer, of a corpulent frame, "Grotius"—another, who had a habit of swelling out his cheeks, "Puffendorf." He often humorously remonstrated with a friend, who was of a very tall stature, and with whom, as one of his "very longest acquaintances," he used that freedom, "upon his want of decorum in going about and peeping down the chimnies, to see what his neighbours were to have for dinner." This list might be extended to a greater length than would be necessary or suitable.

In speaking of Mr. Curran's literary habits, it should have been mentioned that he was, for the greater part of his life, an ardent reader of novels. In his earlier years, it was his regular custom to have one under his pillow, with which he commenced and closed the reading of the day. His sensibility to the interest of such works was so excessive, as to be scarcely credible by those who never saw him sobbing, almost to suffocation, over the pathetic details of Richardson,* or in more extravagant paroxysms of laughter at the ludicrous descriptions of Cervantes. There was a kind of infantile earnestness in his preference of any thing of this sort which struck his fancy; for days it would usurp his thoughts and conversation. when the translation of the Sorrows of Werter first appeared, he was for ever repeating and praising some favourite passages,† and calling upon every friend that chanced to visit him to join in the eulogy, with all the impatience of a child to display a new toy to his companions.

* Particularly the will of Clarissa Harlowe, which he considered a masterpiece of pathos.

† Among them was the following, from one of Werter's letters—"When in the fine evenings of the summer you walk towards the mountains, think of me; recollect the time, you have so often seen me come up from the valley; raise your eyes to the churchyard that contains my grave, and; by the light of the departing sun, see how the evening breeze waves the high grass which grows over me."

Such were his excellencies, or his harmless peculiarities, and the office of enumerating them has been easy and attractive. But biography, if the fidelity to truth which it demands be too rigidly exacted, may become a harsh task, converting a friend, or one nearer than a friend, into the ungracious character of an accuser. Every lover of genius would wish that this account of Mr. Curran's life might here have closed, without rendering it liable to the charge of having suppressed any circumstance which it would not have been to the interest of his name to have disclosed. But the question will be asked, has this been a faithful picture?—Have no shades been designedly omitted?—Has delicacy or flattery concealed no defects, without which the resemblance cannot be true? To such inquiries it is answered, that the estimable qualities, which have formed the preceding description, have not been invented or exaggerated; and if the person, who has assumed the duty of collecting them, has abstained from a rigorous detail of any infirmities of temper or conduct, it is because a feeling more sacred and more justifiable than delicacy or flattery has taught him, and should teach others, to regard them with tenderness and regret. In thus abstaining from a cruel and unprofitable analysis of failings, to which the most gifted are often the most prone, no deception is intended. It is due to that public to whom Mr. Curran's merits have been here submitted as deserving their approbation, to admit with candour that some particulars have been withheld which they would not have approved; but it is also due to his memory to declare, that in balancing the conflicting elements of his character, what was virtuous and amiable will be found to have largely preponderated. He was not perfect; but his imperfections have a peculiar claim upon our forbearance, when we reflect that they sprung from the same source as his genius, and may be considered as almost the inevitable condition upon which that order of genius can be held. Their source was in his imagination. The same ardour and sensibility which rendered him so eloquent an advocate of others, impelled him to take too impassioned and irritating views of questions that personally related to himself. The mistakes of conduct into which this impetuosity of temperament betrayed him cannot be defended by this or by any other explanation of their origin, yet it is much to be able to say

that they were almost exclusively confined to a single relation, and that those who in consequence suffered most, but who, from their intimate connexion with him, knew him best, saw so many redeeming qualities in his nature, that they uniformly considered any exclusion, from his regard not so much in the light of an injustice, as of a personal misfortune.

There was a time when such considerations would have failed to appease his numerous accusers, who, under the vulgar pretext of moral indignation, were relentlessly taking vengeance on his public virtues by assiduous and exaggerated statements of private errors, which, had he been one of the enemies of his country, they would have been the first to screen or justify. But it is hoped, that he was not deceiving himself when he anticipated that the term of their hostility would expire as soon as he should be removed beyond its reach. "The charity of the survivors (to use his own expressions) looks at the failings of the dead through an inverted glass; and slander calls off the pack from a chase in which, when there can be no pain, there can be no sport; nor will memory weigh their merits with a niggard steadiness of hand." But even should this have been a delusive expectation—should the grave which now covers him prove an unrespected barrier against the assaults of political hatred, there will not be wanting many of more generous minds, who loved and admired him, to rally round his memory from the grateful conviction that his titles to his country's esteem stand in defiance of every imperfection, of which his most implacable revilers can accuse him. As long as Ireland retains any sensibility to public worth, it will not be forgotten, that (whatever waywardness he may have shown towards some, and those a very few) she had, in every vicissitude, the unpurchased and most unmeasured benefit of his affections and his virtues. This is his claim and his protection; that having by his talents raised himself from an humble condition to a station of high trust and innumerable temptations, he held himself erect in servile times, and has left an example of political honour, upon which the most scrutinizing malice cannot detect a stain. Nor will it be deemed an inconsiderable merit to have thus, without fortune or connexions, forced his way into a situation of such responsibility. "He that seeketh to be eminent

amongst able men (said the ablest of men) hath a great task."* This task Mr. Curran fulfilled. In the generous struggle for distinction, he was surrounded, not by a race of puny competitors, whom accident or wealth had lifted above their sphere, but by men of surpassing vigour, in whose ranks none but athletic minds could be enrolled. Flood, Yelverton, Daly, Burgh, Perry, Forbes, Ponsonby, and, to crown the list, their leader and solitary survivor, Henry Grattan—these, all of them great names, and worthy of their country's lasting pride, were the objects of his honourable emulation, and to have been rewarded by their approbation, and admitted an associate of their labours, is in itself an evidence of his value, which neither praises can increase, nor envy take away.

* Bacon's Essays.

POEMS.

POEMS.

In addition to the verses occasionally introduced in the preceding pages, there are the following further poetical productions of Mr. Curran, the omission of which (it has been suggested) would be regretted by many readers, particularly by those of his own country.

LINES

Addressed to Lady ——, in answer to a poem in which she had predicted the future freedom of Ireland.

The western sun o'er Dalua's flood
The castle's length'ning shadow flung
To heaven, the minstrels of the wood
The vesper song of nature sung.

Clasp'd in her arms, fair Marion's boy
Now lost his infant cares in rest:
Or basking in his mother's joy,
Drank health and virtue from her breast.

Her form—but stay, rash poet! stay.
Nor vainly paint the beauteous shrine,
Unless thy pencil can pourtray
The form divine that dwells within.

She saw the hearse that ling'ring slow,
Scarce seem'd the opposing hill to climb;
She hear'd the mingling sounds of woe,
For manhood fall'n before its time.

His arm had smote his country's foe,
For her his heart had scorn'd to fear;
But civil feud had laid him low,
The laurel wither'd on his bier.

His old sire tott'ring to his tomb,
Bewail'd his age's comfort fled;
His love, too, follow'd, craz'd and dumb,
In grief that had no tears to shed.

The mournful train, th' untimely blow,
In Marion's patriot mind awoke;
The sleeping forms of Erin's woe,
The blood-stain'd tow'r, the stranger yoke.

Her various memory moves the veil
That hid the deeds of parted times,
And tells her wounded soul the tale
Of Erin's shames, of Albion's crimes.

With rapid glance her thought survey'd
Of fiends obscene the ghastly band,
By tyrant perfidy array'd,
To lord it o'er a victim land.

Pale sloth with vice and misery join'd,
And credulous faith and discord dire;
And superstition bloody and blind,
Kindling her sacramental fire.

"How long," she cried, "O! power supreme,
By folly shall the world be sway'd?
Oh, virtue, art thou but a name,
Oh, freedom, art thou but a shade!

"And thou, dread justice, canst thou sleep,
While hopeless millions pine forlorn;
While crimes their frantic revels keep,
And laugh thy tardy power to scorn?

"Canst thou behold th' unworthy yoke
Crush all that's gen'rous, all that's good?
Is there no wrath?" But while she spoke,
An ancient form before her stood.

To view the venerable sage,
She raised her eye, that o'er his head
Soft beaming on the marks of age,
Sweet youth's celestial lustre shed.

So on the mountain's snow-clad brow,
When falls the light of parting day,
The drifted whiteness seems to glow,
Illumed, not melted, in the ray.

"No! Justice never sleeps," he said:
"In every age, in every clime,
She levels at the guilty head,
And measures punishment by crime.

"Deep woven in the frame of things
Is heaven's unchangeable decree,
From guilt alone that misery springs,
That virtue only can be free.

"The rage of war, the bigot fire,
The storm that lifts th' insatiate main,
The pest that piles the carnage dire,
Are but the servants of her reign.

"When most the tyrant seems to rave,
'Tis justice that afflicts mankind,
And makes the body of the slave
Fit jail for the degenerate mind.

"By patriot rage, when Julius bled,
The tyrant still escaped his doom,
And lived (tho' Brutus' friend lay dead)
Immortal in the crimes of Rome.

"Yet victor in the generous strife,
For freedom he resign'd his breath;
He sought it in the dream of life,
He found it in the sleep of death.

"For nature, ever in her prime,
Sleeps but to renovate her force;
And pausing from the toils of time,
Takes breath for her eternal course.

"Perhaps the moment may arrive
When Erin's sons shall think like thee;
That moment she begins to live,
And virtuous Erin to be free.

" Till then, in vain the patriot deed,
Till then condemn'd a hopeless slave,
Erin may struggle or may bleed,
But freedom dwells beyond the grave."

A LETTER IN RHYME TO A FRIEND.

Dublin, Dec. 3, 1798.

Dear Dick, in answer to your letter,
These presents take instead of better;
And hard it is enough, God knows,
To write in verse, and think in prose.
For when those baggages of Muses,
No matter how a bard them uses,
Get but a peep at's Sapience big,
His goat's-beard band, and proper wig,
They, void of modesty or grace,
Do sneer and titter in his face;
Then leave him to his own bad leading,
To eke out rhyme with special pleading.
Without them, then, we'll what we can do,
And more than that can mortal man do?

" But why not answer long before?
Why silent for a month or more?"
My packet for the Head had parted
Ere yours from Church-lane dock had started.
But here arrived it safely lay,
Un-Lees'd un-Sirr'd*, for many a day.
No studious spy the seal explored,
Nor angling minion hook'd a word.
But all your notions, as you wrote 'em,
In statu quo, just so I got 'em,
Uncrack'd as egg in new-mown hay,
Or well primed cheek of Lady Gay,
Or cozy gammon snugg'd in malt,
The virtue suck of attic salt.

So you bring Madam up to town,
To see her friends and choose a gown,

* Lees and Sirr, officers of search in the rebellion.

To slack a few of those hard guineas,
You roach by prosodizing ninnies.
Of 'many a welcome' you're secure,
'Of beds you are not quite so sure.'
There you mistake, 'tis the reverse,
The beds are many—welcomes scarce.
When welcome is a word, 'tis many,
When 'tis a thing, most rare of any.
The churl that simpers at the door,
Swears that you're welcome—Oh most sure!
Again a thousand welcomes swears,
And starves your guts and crams your ears;
Yet inly damns the ling'ring drone,
You're welcome, but you're better gone.

One single welcome here you'll find,
But that of far a different kind;
Nor yet that welcome be afraid of,
I'll tell you what's the stuff 'tis made of.
A head and heart you may have known;
The heart at least, 'twas much your own.
I know not if the head you knew;
Both should be better—both knew you.

This luckless heart in early days,
Not dead to worth, not dead to praise,
Yet suffer'd many a dire disaster
From careless thrift of thoughtless master.
A cymbal not inaptly strung,
A cymbal of no native song—
'Twas silent, or it gave the note,
As Circe or Minerva smote;
Sometimes too slow, sometimes too fast,
Undone alike by rest or haste.
Its creditors, alarmed at last,
To see it go to wreck so fast,
Agreed together, on a day.
To come and take their shares away.
The heart, from bottom to the top,
Was nicely scor'd, and so cut up.
Then might you see whole troops of vices
Come boldly forth, and carve their slices;

Wild hopes, vain joys, vows, loves, and graces,
In various garbs, from various places.
Among the rest, even virtues came,
But smote their heads, and made no claim.
At length a single bit remain'd,
By none desired, by most disdain'd;
When friendship, smiling, said, 'we'll take it,
Perhaps with care we'll something make it;
Could we but get wherewith to patch it,
A lucky bit of head to match it.'
Scarce was it sooner said than done,
Forthwith the head was named anon.
Peter, perhaps, might it remember,
Tho' time has pass'd 'twixt May 'nd November;
Tho' singed, as if 'twas worn by Shadrack,
Or faded, as it had come from Tabrak.
It was the same that many a day
Made Bally Patricks folks so gay;
When the group cluster'd round the fire,
The men, the maids, the dogs, the squire,
Told the arch tale, or sprung the joke,
Or drew the laugh, ere yet it spoke;
That made fat Nancy's sides to shake,
And blind Jack's fatter head to ache;
And Jemmy's too, with needle nose,
And lusty Peg's with sky-blue hose.
From that same head a bit she cut,
Not sinciput, nor occiput,
Nor eye, nor ear, nor nose, nor hair,
For these are all just as they were.
Doctors that know these names may tell 'em,
They think it was the cerebellum.
I hope she was not such an elf
To choose the worst, to help herself.
These fragments then she skilful join'd,
In mystic union close combined.
'*Welcome*,' she said, 'thy name shall be,
To honour sacred, and to me:
Ne'er be thou squandered on the knave,
The fool, the flatterer, or the slave;
To worth alone still be thy door
Prompt on the hinge, and prompt thy store;

To worth, that ever in its prime
Feels no decrepitude of time,
No shade of wealth, no shade of power,
That changes with the changing hour,
Round fortune's gnomon loves to play,
And lengthens with the sinking ray.

Come then, dear Dick, and you shall find
This welcome mellow, just, and kind:
Tell Jane, a blockhead here refuses
T' admit four graces or ten muses;
So bid her bring her smile and song,
And soon we'll prove the blockhead wrong.
Tell Peter too, that if he come,
He'll find his value and his room.
We'll laugh as when in happier day
Fortune was kind and hope was gay.
Death shall mistake, and pass us by,
Thinking us yet too young to die.
Nor fear to meet bad fare or scanty;
Of roots and milk, and fowls, we've plenty—
A croppy heifer, spared by Holt,*
No doubt a favourer of revolt.
Spared by the traitor for that reason,
Upon her horn clear marks of treason.†
The beast a rebel would not steal,
A loyal subject well may kill.
Wine, too, of France, the price unpaid,
We'll drink it to annoy their trade:
We'll fleece the rascals, if we can,
And damn their pagan rights of man.

Haste, then, dear Dick, the madam bring;
God send you safe, and bless the king.

J. P. CURRAN.

* A rebel chief of the Wicklow mountains.
† This alludes to a custom among the rebels of marking the horns of their cattle in a particular manner, which saved them from the depredations of their own party.

THE PLATE WARMER.

Extract from a private letter of Mr. Curran on the subject of this poem.

"I have been very low for some weeks. I was extremely ill. An unaired court-house, and some very small inadvertencies, had accumulated a dreadful cold upon me; incessant cough—sleeplessness of course—and utter loss of spirits and appetite. Now, thank God, I am recovered, but yet as tender as so tough a sprig can be, and green as a laurel—fit almost to weave a chaplet for our old friend the Roving Bard that sung the 'Brilliant brothers bred and born bright,'—Apropos—Did they give you my Plate warmer? I thought of you and Tom* twenty times during its gestation. I fear it shows there may be eccentricity without fancy. A worm may crawl as far from the direct line as a bird can fly, though not so quickly; and yet the reasoning of dullness is not void of principle; for if wit be the combination of ideas, having the least possible resemblance, is it not natural to suppose that to be still more witty, when there is no resemblance at all? You'll find also some dragging in the parts of the narration, not much to be wondered at in any thing written by snatches, and in which the welding of cold iron is so very difficult, as it must be, where you are obliged to supply the want of heat by hammering. On the whole, I expected little, but I found less. I thought all the poets had gone too far in burlesquing Vulcan, and I thought to furbish him up into something better than a mere blacksmith, and more likely to find some grace in the eyes of Venus. Venus, too, has been very much degraded by the licentiousness of modern poets. Homer, and still more Virgil, make her full of taste, a sensibility sometimes an ill counsellor, that loved not ice, and could not walk upon it without sometimes slipping—a keen, subrisive, but polished artifice, that could draw for its purposes from the tenderest sources of the heart. To do this, or rather to attempt it, naturally threw the key of the verses into a flat third; but, unfortunate! of the few that saw it, none saw into any design but that of unmixed comicality. I dare say, if it had been visible, it would have been seen. I fancy the union of the sad and the gay is scarcely in nature. They may heighten each the other if it be juxtaposition without blending: and that few have attempted with success. If they blend, they neutralize each other, and all effect is lost, unless, as in the δακρυοεν γελασασα of Homer, where no contrast is intended; but the smile and the tear form not a contrasted, but a co-operating expression of the

* The Rev. Thomas Crawford, of Lismore.

same sentiment of maternal fondness. Perhaps the sad strain of the accompaniment to Corelli's famous jig may fall within the same idea. However all this fine criticism may be, you'll find little to commend, except the twilight, which I rather think is new. On the whole, I am not sorry that this poetical ticket should come up an honest prose blank. It will turn those intervals in which the mind must seek for refreshment in order to be able to work more usefully, to some better subject."

THE PLATE-WARMER.

In days of yore, when mighty Jove
With boundless sway ruled all above,
He sometimes chanced abroad to roam
For comforts, often missed at home:
For Juno, though a loving wife,
Yet lov'd the din of household strife;
Like her own peacocks, proud and shrill,
She forced him oft against his will,
Hen-peck'd and over-match'd, to fly,
Leaving her empress of the sky;
And hoping on our earth to find
Some fair, less vocal, and more kind.
But soon the sire of men and gods
Grew weary of our low abodes;
Tired with his calendar of saints,
Their squalling loves, their dire complaints:
For queens themselves, when queens are frail,
And forced for justest cause to rail,
To find themselves at last betrayed,
Will scold just like a lady's maid;
And thus poor Jove again is driven,
Oh, sad resource! to go to Heaven.
Downcast and surfeited with freaks,
The crop-sick thunderer upward sneaks,
More like a loser than a winner,
And almost like an earthly sinner;
Half quench'd the lustre of his eyes,
And lank the curl that shakes the skies;
His doublet buttoned to his chin,
Hides the torn tucker folded in.
Scarce well resolved to go or stay,
He onward takes his ling'ring way,
For well he knows the bed of roses
On which great Juno's mate reposes.

At length to Heaven's high portal come,
No smile, no squeeze, no welcome home;
With nose up-toss'd, and bitter sneer,
She scowls upon her patient dear;
From morn till noon, from noon to night,
'Twas still a lecture to the wight;
And yet the morning, sooth to say,
Was far the mildest of the day;
For in those regions of the sky
The goddesses are rather shy,
To beard the nipping early airs,
And therefore come not soon down stairs;
But, snugly wrapp'd, sit up and read,
Or take their chocolate in bed.
So Jove his breakfast took in quiet—
Looks there might be, but yet no riot;
And had good store of list'ners come,
It might have been no silent room;
But she, like our theatric wenches,
Loved not to play to empty benches:
Her brows close met in hostile form,
She heaves, the symptoms of a storm,
But yet the storm itself repressed
Labours prelusive in her breast,
Reserved as music for that hour,
When every male and female power
Should crowd the festive board around,
With nectar and ambrosia crown'd,
In wreathed smiles and garlands dress'd,
With Jove to share the gen'rous feast.
'Twas then the snowy elbowed queen
Drew forth the stores of rage and spleen;
'Twas then the gathered storm she sped
Full-levelled at the thunderer's head:
In descant dire, she chanted o'er
The tale, so often told before;
His graceless gambols here on earth—
The secret meeting—secret birth;
His country freaks in dells and valleys,
In town, o'er Strands, and Cranbourne-alleys.
Here lifts his burglar hand the latch,
There scrambles through the peasant's thatch;

When such a prowling fox gets loose,
What honest man can keep his goose ?
Nor was the Theban feat untold,
Trinoctial feat so famed of old ;
When night the pander vigil kept,
And Phœbus snored as if he'd slept.
And then Europa, hateful name—
A god a bull—oh, fie for shame !
When vagrant love can cost so dear,
No wonder we've no nursery here,
No wonder when imperial Jove
Can meanly hunt each paltry love,
Sometimes on land, sometimes on water,
With this man's wife, and that man's daughter ;
If I must wear a matron willow;
And lonely press a barren pillow.
When Leda, too, thought fit to wander,
She found her paramour a gander ;
And did his god-ship mount the nest,
And take his turn to hatch and rest ?
And did he purvey for their food,
And mince it for the odious brood ?
—The eagle wink'd, and drooped his wing,
Scarce to the dusky bolt could cling,
And look'd as if he thought his lord
A captain with a wooden sword ;
While Juno's bird display'd on high
The thousand eyes of jealousy.
Hermes look'd arch, and Venus leer'd ;
Minerva bridled, Momus sneer'd ;
Poor Hebe trembled, simple lass,
And spilt the wine and broke the glass.
Jove felt the weather rather rough.
And thought long since 't had blown enough :
His knife and fork, unused, were cross'd,
His temper and his dinner lost ;
For ere the vesper peal was done,
The viands were as cold as stone.
This Venus saw, and grieved to see ;
For though she thought Jove rather free,
Yet, at his idle pranks she smiled,
As wanderings of a heart beguil'd ;

Nor wondered if astray he run,
For well she knew her 'scape-grace son;
And who can hope his way to find,
When blind, and guided by the blind?
Her finger to her brow she brought,
And gently touched the source of thought,
The unseen fountain of the brain,
Where fancy breeds her shadowy train:
The vows that ever were to last,
But wither ere the lip they've pass'd;
The secret hope, the secret fear,
That heaves the sigh, or prompts the tear;
The ready turn, the quick disguise,
That cheats the lover's watchful eyes;
So from the rock, the sorcerer's wand
The gushing waters can command;
So quickly started from the mind,
The lucky thought she wished to find.
Her mantle round her then she threw,
Of twilight made, of modest hue;
The warp by mother night was spun,
And shot athwart with beams of sun,
But beams first dawn through murky air,
To spunge the gloss, and dim the glare;
Thus gifted with a double charm,
Like love 'twas secret and 'twas warm.
It was the very same she wore
On Simois' banks, when, long before,
The sage Anchises form'd the plan
Of that so brave and god-like man,
Whose fame o'er-topp'd the topmast star,
For arts of peace and deeds of war;
So famed for fighting and for praying,
For courting warm, and cool betraying;
Who show'd poor Dido, all on fire,
That Cyprus was not far from Tyre;
The founder of Hesperian hopes,
Sire of her demi-gods and popes.
And now her car the Paphian queen
Ascends, her car of sea-bright green.
Her graces slim with golden locks
Sat smiling on the dicky box,

While Cupid wantons with a sparrow
That perched upon the urchin's arrow.
She gives the word, and through the sky
Her doves th' according pinions ply,
As bounding thought, as glancing light,
So swift they wing their giddy flight;
They pass the wain, they pass the sun,
The comet's burning train they shun,
Lightly they skim the ocean vast,
And touch the Lemnian isle at last.
Here Venus checks their winged speed,
And sets them free to rest or feed;
She bids her Graces sport the while,
Or pick sweet posies round the isle,
But cautions them against mishaps,
For Lemnos is the 'Isle of Traps;'
'Beware the lure of vulgar toys,
And fly from bulls and shepherd's boys.'

A cloud of smoke that climbs the sky
Bespeaks the forge of Vulcan nigh;
Thither her way the goddess bends,
Her darling son her steps attends,
Led by the sigh that Zephyr breathes,
When round her roseate neck he wreathes.
The plastic god of fire is found,
His various labours scatter'd round:
Unfinish'd bars, and bolts, and portals,
Cages for gods and chains for mortals;
'Twas iron work upon commission,
For a romance's first edition.
Soon as the beauteous queen he spied,
A sting of love, a sting of pride,
A pang of shame, of faith betray'd,
By turns his labouring breast invade;
But venus quell'd them with a smile,
That might a wiser god beguile;
'Twas mixed with shame, 'twas mixed with love,
To mix it with a blush she strove.
With hobbling step he comes to greet
The faithless guest with welcome meet:

Pyracmon saw the vanquish'd god,
And gives to Steropes the rod;
He winks to Brontes as to say,
"We may be just as well away,
They've got some iron in the fire,"
So all three modestly retire.

"And now, sweet Venus, tell," he cries,
"What cause has brought thee from the skies?
Why leave the seat of mighty Jove?
Alas! I fear, it was not love.
What claim to love could Vulcan boast,
An outcast on an exile coast,
Condemn'd in this sequestered isle,
To sink beneath unseemly toil?
'Tis not for me to lead the war,
Or guide the day's refulgent car;
Tis not for me the dance to twine,
'Tis not for me to court the Nine;
No vision whispers to my dream,
No muse inspires my wakeful theme;
No string, responsive to my art,
Gives the sweet note that thrills the heart:
The present is with gloom o'ercast,
And sadness feeds upon the past.
Say, then, for ah! it can't be love,
What cause has brought thee from above?
So spoke the god in jealous mood,
The wily goddess thus pursued:
"And canst thou, Vulcan, thus decline,
The meeds of praise so justly thine?
To whom, the fav'rite son of heaven,
The mystic powers of fire are given;
That fire that feeds the star of night,
And fills the solar beam with light;
That bids the stream of life to glow
Thro' air, o'er earth, in depths below:
Thou deignest not to court the Nine,
Nor yet the mazy dance to twine;
But these light gifts of verse and song
To humbler natures must belong:

Behold yon oak that seems to reign
The monarch of the subject plain,
No flowers beneath his arms are found,
To bloom and fling their fragrance round
Abash'd in his o'erwhelming shade,
Their scents must die, their leaves must fade.
Thou dost not love through wastes of war,
Headlong to drive the ensanguin'd car,
And sweep whole millions to the grave;
Thine is the nobler art to save:
Form'd by thy hand, the temper'd shield
Safe brings the warrior from the field;
Ah! couldst thou then the mother see,
Her ev'ry thought attach'd to thee!
Not the light love that lives a day,
Which its own sighs can blow away;
But fix'd and fervent in her breast,
The wish to make the blesser bless'd.
Then give thy splendid lot its due,
And view thyself as others view.
Great sure thou art, when from above,
I come a supplicant from Jove;
For Jove himself laments like thee,
To find no fate from suff'ring free:
Dire is the strife when Juno rails,
And fierce the din his ear assails.
In vain the festive board is crown'd,
No joys at that sad board are found;
And when the storm is spent at last,
The dinner's cold, and Jove must fast.
Could'st thou not then with skill divine,
For every cunning art is thine,
Contrive some spring, some potent chain,
That might an angry tongue restrain,
Or find, at least, some mystic charm,
To keep the sufferer's viands warm?
Should great success thy toils befriend,
What glory must the deed attend!
What joy through all the realms above!
What high rewards from grateful Jove!

How bless'd could I behold thee rise
To thy lost station in the skies ;
How sweet ! should vows thou may'st have thought
Or lightly kept, or soon forgot,
Which wayward fates had seem'd to sever,
Their knots retie, and bind forever !"

She said and sigh'd, or seem'd to sigh,
And downward cast her conscious eye,
To leave the god more free to gaze—
Who can withstand the voice of praise ?
By beauty charm'd, by flatt'ry won,
Each doubt, each jealous fear is gone ;
No more was bow'd his anxious head,
His heart was cheer'd, he smil'd, and said :
" And could'st thou vainly hope to find
A power the female tongue to bind ?
Sweet friend ! 'twere easier far to drain
The waters from the unruly main,
Or quench the stars, or bid the sun
No more his destined courses run ;
By laws as old as earth or ocean,
That tongue has a perpetual motion,
Which marks the longitude of speech ;
To curb its force no pow'r can reach :
Its privilege is raised above
The sceptre of imperial Jove.
Thine other wish, some mystic charm
To keep the sufferer's viands warm,
I know no interdict of fate,
Which says that art mayn't warm a plate.
The model, too, I've got for that,
I take it from thy gipsy hat ;
I saw thee thinking o'er the past,
I saw thine eye-beam upward cast,
I saw the concave catch the ray,
And turn its course another way ;
Reflected back upon thy cheek,
It glow'd upon the dimpled sleek."

The willing task was soon begun,
And soon the grateful labour done ;

The car, obedient to his hand,
Assumes a shape at his command;
The tripod base stands firm below,
The burnish'd sides ascending grow;
Divisions apt th' interior bound,
With vaulted roof the top is crown'd.
The artist, amorous and vain,
Delights the structure to explain,
To show how rays converging meet,
And light is gather'd into heat.
Within its verge he flings a rose,
Behold how fresh and fair it glows;
O'erpower'd by heat now see it waste,
Like vanish'd love its fragrance past!
Pleased with the gift, the Paphian queen
Remounts her car of sea-bright green;
The gloomy god desponding sighs
To see her car ascend the skies,
And strains its less'ning form to trace,
Till sight is lost in misty space,
Then sullen yields his clouded brain,
To converse with habitual pain.
The goddess now arrived above,
Displays the shining gift of love,
And shows fair Hebe how to lay
The plates of gold in order gay,
The gods and goddesses admire
The labour of the god of fire,
And give it a high-sounding name,
Such as might hand it down to fame,
If 'twere to us weak mortals giv'n,
To know the names of things in heav'n;
But on our sublunary earth
We have no words of noble birth,
And even our bards in loftiest lays,
Must use the populace of phrase.
However call'd it may have been,
For many a circling year 'twas seen
To glitter at each rich repast,
As long as heaven was doom'd to last.

But faithless lord—and angry wife—
Repeated faults—re-kindled strife—
Abandon'd all domestic cares—
To ruin sunk their own affairs—
The immortals quit the troubled sky,
And down for rest and shelter fly;
Some seek the plains, and some the woods,
And some the brink of foaming floods:
Venus, from grief religious grown,
Endows a meeting-house in town;
And Hermes fills the shop next door
With drugs far brought, a healthful store!
What fate the Graces fair befel
The muse has learn'd, but will not tell.
To try and make afflictions sweeter,
Momus descends and lives with Peter;
Tho' scarcely seen the external ray,
With Peter all within is day,
For there the lamp by nature giv'n
Was fed with sacred oil from Heav'n.
Condemn'd a learned rod to rule,
Minerva keeps a Sunday school.
With happier lot the god of day
To Brighton wings his minstrel way;
There come, a master touch he flings,
With flying hand, across the strings;
Sweet flow the accents soft and clear,
And strike upon a kindred ear.
Admitted soon a welcome guest,
The god partakes the royal feast;
Pleased to escape the vulgar throng,
And find a judge of sense and song.

Meantime, from Jove's high tenement
To auction every thing is sent;
Oh grief! to auction here below!
The gazing crowd admire the show,
Celestial beds, imperial screens,
Busts, pictures, lustres, bright tureens.

With kindling zeal the bidders vie,
The dupe is spurr'd by puffers sly,
And many a splendid prize knock'd down
Is sent to many a part of town;
But all that's most divinely great
Is borne to ——'s in —— street;
Th' enraptured owner loves to trace
Each prototype of heav'nly grace,
In every utensil can find
Expression, gesture, action, mind;
Now burns with gen'rous zeal to teach
That lore which he alone could reach,
And gets, lest pigmy words might flag,
A glossary from Brobdignag;
To preach in prose, or chant in rhyme,
Of furniture the true sublime,
And teach the ravish'd world the rules
For casting pans and building stools.
Poor Vulcan's gift among the rest
Is sold, and decks a mortal feast,
Bought by a goodly alderman,
Who lov'd his plate and lov'd his can;
And when the feast his worship slew,
His lady sold it to a jew.
From him, by various chances cast,
Long time from hand to hand it past;
To tell them all would but prolong
The ling'ring of a tiresome song;
Yet still it look'd as good as new,
The wearing prov'd the fabric true:
Now mine, perhaps by fate's decree,
Dear Lady R—, I send it thee;
And when the giver's days are told,
And when his ashes shall be cold,
May it retain its pristine charm,
And keep with thee his mem'ry warm!

THE GREEN SPOT THAT BLOOMS O'ER THE DESERT OF LIFE.

A Song.

O'ER the desert of life, where you vainly pursued
Those phantoms of hope which their promise disown,
Have you e'er met some spirit divinely endued,
That so kindly could say, You dont suffer alone?
And however your fate may have smiled or have frown'd,
Will she deign still to share as the friend or the wife?
Then make her the pulse of your heart; for you've found
The green spot that blooms o'er the desert of life.

2

Does she love to recal the past moments so dear,
When the sweet pledge of faith was confidingly given,
When the lip spoke the voice of Affection sincere,
And the vow was exchanged and recorded in Heaven?
Does she wish to rebind what already was bound,
And draw closer the claim of the friend and the wife!
Then make her the pulse of your heart: for you've found
The green spot that blooms o'er the desert of life.

THE POOR MAN'S LABOUR.

A Song.

My mother wept—the stream of pain
Flow'd fast and chilly from her brow;
My father pray'd, nor pray'd in vain,
Sweet mercy cast a glance below.
Mine husband dear, the sufferer cried,
My pains are o'er—behold your son!
Thank Heaven, sweet partner, he replied,
The poor boy's labour is then begun.

Alas! the hapless life she gave
By fate was doom'd to cost her own;
Soon, Soon, she found an early grave,
Nor stay'd her partner long alone;

But left their orphan here below,
A stranger wild beneath the sun,
This lesson sad to learn from woe,
The poor man's labour is never done.

No parent's hand, with pious care,
My childhood's devious path to guide.
Or bid my vent'rous soul beware
The griefs that smote on every side.
'T was still a round of changing woe,
Woe never ending, still begun,
That taught my bleeding heart to know,
The poor man's labour is never done.

Soon dies the falt'ring voice of fame;
The vows of love too warm to last,
And friendship, what a faithless dream!
And wealth, how soon thy glare is past!
Yet still one hope remains to save—
The longest course must once be run,
And in the shelter of the grave
The poor man's labour must be done.

THE MERIDIAN IS PAST.

The meridian is past, and the comfortless west
Now calls the dull evening of life to repose;
Say then, thou worn heart, why not yield thee to rest,
Or why court the return of thy joys or thy woes?

If thy noon-tide affection so coldly was paid
With whate'er it possess'd, or of warmth or of light,
Say what canst thou hope when thou sink'st to the shade,
But in vain to lament by the cold star of night?

Or perhaps thou but wishest those hours to review,
Which so deeply thy pains and thy pleasures could move,
When hope flattering hope! to thy passion untrue,
Call'd the soft voice of friendship the sweet note of love.

Oh then let fond mem'ry recal every scene,
Every word, look, or gesture, that touch'd thee the most ;
Let her tears, where 'tis faded, refresh the faint green,
And though joy may escape, let no suff'ring be lost !

Let each precious remembrance be cherish'd with care,
Let thy inmost recess be their consecrate shrine ;
Let the form too of her, so ador'd, be found there,
Such as friendship may wonder how love could resign !

And when oft the lone mourner her image reviews,
Let her eye scorn to fill, or her bosom to heave ;
And, if infidel love to believe shall refuse,
Be thou once more a dupe, and let fancy deceive !

The following are the unrevised fragments of a poem, the last that Mr. Curran meditated, and which death prevented his completing.

TO MRS. FORTY.

THE DISPENSER OF THE WATERS AT CHELTENHAM.

Hail, Madam Forty ! thou whose name
From pole to pole is blown by fame ;
From where, by light of eastern ray,
Phœbus drives on the car of day,
To where he ties his evening cap,
And sleeps or dreams on Tithy's lap ;
Who chides his long delay since morn,
Yet kindly greets his late return.
Phœbus, to whom alone belong
The gifts of medicine, light, and song ;
Who made for thee th' Hygeian source,
And gave thee to dispense its force.
Behold the goodly alderman,
That dearly loves his plate and can,
With rosy gills, and luscious eye,
That lives to eat, and eats to die ;
That fills the compass of his frame
With every thing that bears the name

Which Adam gave; each bird that flies,
Each fish that cleaves the nether skies.
Such various elements ajar
The vast alembic fill with war;
The hot, the cold, the sweet, the sour,
By turns submit, by turns o'erpow'r;
And still, in this intestine strife,
Some victor enemy of life,
Unless a stronger hand should save,
Would mark the victim for the grave.
But Phœbus saw those griefs of man,
And kindly form'd a healing plan:
He chose a spot where many a hill
Sends down its tributary rill;
Whose bosom stores the beam profuse
Of summer's sun for winter's use;
There, in the secret womb of earth,
By chemic fire matured to birth,
Each antidote, each anodyne,
Their various qualities combine;
Till, from the reservoir below,
They learn to swell, to rise, to flow.
The god beheld the gushing flood,
And blest it, for he saw 'twas good.
Then, for most mighty causes moving,
His trusty cousin, loved and loving,
In virtue of his pow'r supreme,
He crowns thee Priestess of the stream.
And now behold the ghastly band
From Albion's isle or foreign land
At footstep of thy throne appear,
Their symptoms tell, their off'rings bear.
With gracious pharmaceutic smile
Received, how oft such looks beguile!
Form'd half of nature, half of art,
The thinking head, the feeling heart,
They hear thy mandate: 'Quaff the spring
To-day; to-morrow health will bring.'
In anxious haste they try the charm
Of 'number four, a little warm.'

Mira retrieves her fading bloom,
And basks in hope of joys to come.
Chlorinda, snatched from pale disease,
Once more assumes the power to please.
The faithful Strephon by her side.—
His partner loved, his future bride,—
With rapture marks how sickness flies—
How swims her step—how glance her eyes.
He holds the watch, and she the glass:
Both count the moments as they pass.
In snow-white candour not ashamed;
And, blameless, fear not to be blamed.
Oh, happy state! when souls thus draw
Each other, and, where nature's law!
'Twas so of old, when father Adam
Held converse pure with mother Madam:
No act unseen, no secret thought,
But all to candid view was brought.
Then innocence was in her prime—
No notion guilt, no deed was crime.
Their hours, the woodland wilds among,
Were given to prayer, to love, to song,
Or gathering posies side by side,
One pick'd them, and the other tied;
No censuring folks to watch or mind 'em,
No fans were then, nor prudes behind 'em;
But all was undisguised and free,
That birds, and beasts, and Heaven might see.
Nothing in coy disguise they keep;
Satan himself might take a peep.
Nor yet, great Priestess, do the fair
Alone engross thy guardian care;
For man, all worthless though he be,
Still prays, nor prays in vain, to thee.
Return'd from Ganges' crimson'd flood,
Laden with gold, and bathed in blood;
His veins with sickly fluid fraught,
The colour of the dross he sought;
Arm'd with the Gospel and the knife,
The sting of death, the pledge of life;

For love of Heaven the faith he sold,
And butcher'd for the love of gold.
Yet even he can favour find,
As if to vice or virtue blind,
To pity and to spare you deign,
And send him to his crimes again.
But, Priestess, let the muse advise;
The present moment quickly flies.
The magic song, the graceful air,
The cestus'd waist, the glossy hair,
These are not destined long to last,
But fast they fade, and soon they're past.
Apollo now is fond and kind;
But Jove himself has changed his mind.
So Phœbus' beam, at morn how bright,
How warm at noon, how cold at night!
Soon may some blow descend and sever:
Occasion miss'd is lost for ever.
Rich boons he's granted: but remain
Still richer, which thou may'st attain:
Let him for thee nail up death's portal,
And dub thee, by a word, immortal.
To body now thy power confined;
Why not extend it to the mind?
Why not bestow some drastic art
To purge the brain, and cleanse the heart?
How charm'd might then the world behold
The blissful age of bloodless gold!

* * * *

The British peer might come to scorn
Fit wreaths the boxer to adorn;
Might cease to curb the harness'd steed,
The whip resign, and learn to read.
To court your shrine should Albion deign,
What precious gifts she might obtain!
Richer than all her hoarded pelf—
The precious gift—to know herself.
Sullen, and cold, and dark, and dumb,
And mantled in impervious gloom,
She makes herself a standard measure,
In virtue of her tyrant pleasure:

Because the minstrel she can buy,
She thinks to judge the minstrelsy.

* * * *

The brain may think, the thought be told;
But to the neutral ear 'tis cold,
If Heaven refuse the magic art
Of song to send it to the heart.
This art, the richest gift of Heaven,
To Albion's land was never given.
Dull to her ear the matin lay
That warbles from the morning spray;
But dear the charnel knell, so holy,
So cheering, and so melancholy!
Who most is charm'd, how can you know?
Who wakes above, or sleeps below?
Oft has the Muse's harp been strung
On Scotia's wilds, and sweet the song!
Echo floats down on passing time,
And brings to Scott his birthright rhyme.

* * * *

In Erin, too, the poet's fire
Once warm'd the heart-strings of her lyre,
When fervent he has swell'd the strain
With hope or love, nor swell'd in vain;
Or, drooping o'er the warrior's grave,
Who perish'd when he could not save,
He sung the gallant deeds that sped
His race of glory to the dead;
Nor left his crested helm untold,
Nor sword that shone in burnish'd gold.
But that sword, once the hero's pride,
Rusts in the coffin by his side.
Yet sweet his fate! No more he hears
His country's groan, nor sees her tears;
No more he counts his kindred slain,
Nor sickens at the stranger chain;
And though the ruffian hand may wrest
The kerchief from his darling's breast,
Whether she weeps, or shrinks, or flies,
Or fills deaf Heaven with fruitless cries,
Or screams for succour to the dead,
And clasps the stone that marks his head,

It stirs no pulse—it gives no breath—
He hears it not—he sleeps in death.
Such is the song of early time,
And such the soul it gives to rhyme;
Such is the knot that to the past
The present ties, and makes time last.
But, wheresoe'er the Briton roam,
No song can spring the thought of home.
He cannot say, "Oh, bard divine!
Repeat that lay, that lay is mine.
Oft has it heaved my infant breast—
Oft sooth'd my infant cares to rest.
Then once again, oh, bard divine!
Repeat it, for the lay is mine."

* * * *

Art may be learnt, and wisdom taught,
And taste depraved but never bought.
Yet see approach the motley train,
Cringing, yet bold—and vile, though vain;
The dregs of Italy and France;
Venders of song, and lust, and dance.
The chaplet fades on Kemble's brow;
The soul of Young forgets to glow;
And Kean—the honey-moon of fame
Scarce past—forswears the bridal name.
But Catalani sneers and mocks
Th' unlist'ning babble of the box.
The money, not the praise, she prizes,
And smiles, and curtsies, and despises.
The cockney dame, well pleased the while,
Nods knowing, and gives back the smile:—
"Here, ma'am, no English harsh and coarse
Grates on our ear, still worse and worse,
But interjections soft—Oh Dio!
Or murm'ring sweet, bel idol mio!
No facts perplex—for what, or why,
Or who?—the Briton scorns to pry.
There Mr. Kemble twits his mother
About some nonsense with her brother,
As if a high-born people cares
About mere family affairs.
It hurts the manners of the age
To bring such subjects on the stage;

But on the dear Italian scene
Such horrors cannot intervene;
To ear and eye the charm confined,
Obtrudes no labour on the mind;
While fancy feeds on visions bright,
Formed, not of objects, but of light;
This is the tone of recreation
That best befits a thinking nation:
And, while such arts their station keep,
Otway may starve, and Shakspeare sleep."

* * * *

Nor have we bought their song alone;
Their ballet has become our own:
The tender babe now learns what mean
The tactics of the waltz obscene—
The irony of attitude,
That blends the wanton with the prude—
The changeful neck—the hinting look
Of coy advance, or arch rebuke—
The dizzy round, that lifts in air
The dress, and flings the body bare,
All helpless to th' unhallow'd stare:
The sponsor at the font of vice,
And pandar at the sacrifice—
The mother, in the infant's name,
Plights the vow of guilt and shame;
Her quick'ning glances teach to blow
The buds of folly and of woe.
Poor child! she knows not yet "what's what,"
But with God's grace, she'll come to that:
Just like a telegraph she makes
The signs, nor yet the news partakes.

* * * * *

APPENDIX.

APPENDIX.

The following fragment of a religious essay, written when Mr. Curran considered himself as destined for the church, may gratify the curiosity of some. It has few claims to originality, but it is not uninstructive to show that the originality which subsequently distinguished him was as much the reward of cultivation as a gift of nature.

"If we reflect a little on the strange manner in which most of our fellow travellers conduct themselves in this journey through life, we cannot wonder that the perverseness of human nature has been, in all ages, a standing subject of reproach, or of ridicule. The way at best is tedious and distressing, difficult to tread, obscured with clouds, and perplexed with thorns. But it is certain that man, ever ready to torment himself, has, by his own inventive discontent, created a set of grievances more formidable and more numerous than those which nature or Providence designed that he should suffer; instead of alleviating such evils as we cannot avoid, by consolation drawn from the blessings which we or our neighbours enjoy, we follow a course directly contrary; we strive to place our own condition in the most unfavourable point of view; we endeavour, with an ingratitude equally impious and absurd, to extinguish every light, and to exaggerate every shade in the picture; the favours that Providence has heaped upon us, more abundantly than perhaps we deserve, we arrogantly account the sparing reward of our deserts, and murmur at those corrections which, in general, are less proportioned to our demerits than to the tenderness and compassion of that Being who remembers mercy in his punishments; and if we turn our eyes to the situations of those around us, we are too apt, instead of soothing their afflictions, and rejoicing in their happiness, to overlook the former, and to pervert the latter, into a source not of congratulation and pleasure, but of jealousy and discontent. As for those who owe their wretchedness to so monstrous a depravity as this, they are justly punished by the consequences of their own unworthiness; they are objects rather of horror than of pity. But there are others equally unhappy, from a cause less criminal, and of course more pitiable; they have hearts that can glow with transport at the good fortune of their fellow creatures, or bleed for their distresses; but from a despondency of spirit, or too keen a sensibility, they sink under every evil that befals themselves, whether it arises from the reality of things or the timorous exaggerations of fancy; they are miserable, not because they are wicked, but because they are not wise. To them every thing wears a melancholy aspect; they behold human life through a medium that magnifies or distorts every object; they consider it as subject to perpetual disasters which they cannot avoid, and which they are unable to endure; they lift their eyes to the train of ills that infest it;

they discover a dreadful array of pain, poverty, sickness, and they are filled with anguish at the prospect; they cannot bear, with patience, that their own repose should lie at the mercy of the vices and follies of a corrupt world, and that human happiness should be supported by so slender a thread, as every adverse wind of fortune may endanger or destroy. Those people have formed an imaginary, and consequently a mistaken, standard of perfection, by which they judge the designs and the works of their Creator. In the most ordinary piece of mechanism, we see how impossible it is to form any opinion of its excellence or imperfection, unless we are previously acquainted with the principles on which it is formed, and the uses it is intended to answer; and yet we daily hear men, with the utmost confidence, pronounce a judgment on this complicated system of things, of which they are but an inconsiderable part, and of which it is impossible they should have any adequate conception. Strange infatuation! as if an atom could measure the boundless region of immensity, or the creature comprehend the infinite wisdom of his Creator. Man views the world as if it had been contrived for no other purpose than his convenience; lost and bewildered in the labyrinths of Providence, he blames the want of design, because the narrowness of his understanding is unable to reach it; assuming the little corner to which his vision is confined as the centre of things, he exclaims against those fancied irregularities which arise from the dimness of his sight, or the disadvantage of his situation; he exclaims that the earth he inhabits is deformed with rocks and mountains; but a little attention would discover to him, that besides being subservient to many things necessary to our well-being, those inequalities no longer are visible, when the spectator is removed to a proper distance from the object; he complains that the moral system is equally full of disproportion and enormity; but he will not always so restrain his impatience as to inquire into the causes of those appearances, to justify and adore, as far as he can discern, and to supply the defects of his sight, by the implicitness of his faith and his resignation. That we are absolutely dependent on the will of that Being who has placed us here should, perhaps, be of itself a sufficient inducement to the most unmurmuring acquiescence under his dispensations; but the all-gracious Deity has in this, as well as in every other instance, kindly united our pleasure and our duty: ever readier to advise than to impose, to persuade than to commend, he would rather engage us as his children to pursue our own happiness, than oblige us as his creatures to submit ourselves to his will. He does not, therefore, say to us—'I have enjoined, and ye must obey; I have inflicted, and ye must suffer?' but he invites the heart that is wounded by distress, and the mind that is labouring under uncertainty, to approach him with reverence and assurance of his mercy; to gain wisdom by considering his works, and comfort by receiving his promises. Let us then avail ourselves of this permission; let us take a view of the conduct of Providence towards us, with respect to our present state and our future destination; and let us do it with that awful respect that is due to the greatness of our Maker, and the gratitude we owe to his benevolence; and if we enter upon this inquiry with the candour and modesty that becomes us, we will find that he has concealed nothing from us which it concerns us to know, and that, though our powers are not formed to pervade and to comprehend the ways and the designs of infinite wisdom, we may yet discover enough to make us admire the goodness of

our Creator, to render us obedient to his laws, to reconcile us to the seeming difficulties of our situation in this life, and to stimulate us to every exertion that may approve us deserving of a better.

"As to the present condition of human existence, we are sufficiently assured that this life is only a preliminary stage of being, preparatory for, and introductory to, an higher and a more perfect one. Had man been endued with no superiority above the other works of the divine Architect that surround him, he might, like them, attain to this high and more perfect state, by the necessary progress of his own nature, by a sort of vegetative increase, as a plant advances from seed to maturity. The more ordinary parts of the creation are produced for no purpose that relates to themselves; they are impelled in their progress to maturity by a necessary and unconscious impulse; they grow, they flourish, and they fade, alike insensible of their improvement or decay. But man, formed for the most glorious purposes, in all which he is intimately, if not entirely, concerned, designed to outlive the wreck of time, and to enjoy or to suffer a never-ending duration, and animated by a soul that may aspire and attain to the most exalted perfection, should travel on to his destination with a nobler guide than brutal instinct or blind necessity, those substitutes of discernment in the beast that perishes, or the plant that withers. In proportion as he is raised eminently above those, so must the motives and principles of his conduct be more elevated, more worthy of the rank he holds; *they* must be driven forward to the end they are designed for by an impulse from without; *he* must determine his actions to a certain point, by an effort from within. Reduced by his wants and his weakness to an absolute dependence on his Maker, and to consequent necessity of submitting to his laws, he is rendered capable of receiving those laws, by a reason to inquire, and a will left at liberty to follow the dictates of his understanding; but strongly impelled by his appetites and desires, he is incessantly actuated to seek his own happiness. And here we cannot but admire the wisdom and goodness of God. Had our obedience to him required one course of conduct and our own well-being another, we might have been eternally perplexed between such incompatible objects; we must, in that case, have been reduced to the wretched alternative of being either miserable or rebellious; but the all-bountiful Being, studiously solicitous for the happiness of those he has made, has removed this embarrassment by making our allegiance and our desire of happiness mutual incentives, mutual strengtheners and supporters of each other, and confirming our duty to him by our duty to ourselves. If we conform ourselves to the rules he has prescribed, we will enjoy happiness as at once the reward of our merit, and the necessary consequence of it, because those rules contain nothing in them that is not indispensably necessary for preserving us, and advancing us to that degree of perfection which we are formed to attain. But while we adore the benevolence of God, in thus solicitously consulting our pleasure and advantage, we may also observe, that the most exalted privilege of our nature, and the most extraordinary instance of his bounty, may become the source of affliction to mankind. Nor should this reflection diminish our gratitude for the blessing, when we consider how the best things, if perverted to other purposes than they were intended to answer, degenerate into the most pernicious; and when we also consider how much it is in our power to avoid this perversion in the present case. The object of

man's pursuit is happiness. His Maker and his reason inform him that he can acquire it only by following the rules prescribed to him by both. But man's will is free; he is therefore at liberty to neglect or to pursue these means, and of consequence to fail or to succeed in the end. He may also choose not to be virtuous: and should he so deprave himself he must submit to unhappiness, not only as the punishment incurred by disobeying his Maker, who perhaps may suspend his vengeance over the ungrateful offender, or defer it till some future state of existence, but also as the inevitable consequence of violating the rules necessary to the preservation and perfection of his nature, which, as being a natural effect cannot possibly be remote, but must flow immediately from its cause.

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MR. GRATTAN'S LETTER.*

"Dublin, July 1, 1797.

"TO MY FELLOW CITIZENS OF DUBLIN.

"I THANK you for past favours; I have found in you a kind and a gracious master; you have found in me an unprofitable servant: under that impression, I beg to assure you, that so long as the present state of representation in the commons house continues, so long must I respectfully decline the honour of soliciting at your hands a seat in that assembly.

"On this principle it was I withdrew from parliament, together with those with whom I act; and I now exercise my privilege, and discharge my duty in communicating with my constituents, at the eve of a general election, some say an immediate dissolution, when I am to render back a trust, which, until parliament shall be reformed, I do not aspire to reassume. The account of the most material parts of my conduct, together with the reason of my resolution, will be the subject of this letter.

"When I speak of my conduct, I mean that adopted in common and in concert with the other gentlemen. We should have felt ourselves deficient in duty if we had not made one effort before the close of the parliament, for the restoration of domestic peace, by the only means by which it seemed attainable—conciliation; and if we had not submitted our opinions, however fallible, and our anxieties, however insignificant, on a subject which in its existence shook your state, and in its consequences must shake the empire. Our opinion was, that the origin of the evil, the source of the discontent, and the parent of the disturbance was to be traced to an ill-starred and destructive endeavour on the part of the minister of the crown, to give to the monarch a power which the constitution never intended; to render the king in parliament every thing, and the people nothing; and to work the people completely out of the house of commons, and in their place to seat and establish the chief magistrate absolute and irresistible. It appeared to us that a minister guilty of such a crime is as much a traitor to the constitution, as the people would be to the king if they should advance in arms, and place their leader on the throne: more guilty

* Referred to in the note to page 362.

of treason in equity and justice, because in them it would be only rebellion against their creature—the king; but in the other it would be rebellion against his creator—the people. It occurred to us that in this country the offence would be still higher, because in this country it would be the introduction not only of a despotic, but of a foreign yoke, and the revival of that great question which in 1782 agitated this country, and which, till your parliament shall be reformed, must agitate this country for ever. We thought no Irishman—we were sure no honest Irishman, would ever be in heart with government, so long as the parliament of this country shall be influenced by the cabinet of England; and were convinced that the people would not be the more reconciled to a foreign yoke, because re-imposed by the help of their own countrymen: as long as they think this to be the case, we were convinced they will hate the administration, and the administration will hate them. On this principle we recollected the parliament of this country pledged their lives and fortunes in 1782, though some seem to have thought better of it since, and are ready to pledge their lives and fortunes against this principle. We could not seriously believe that the people of Ireland were ready to resist the legislative usurpation of the British parliament, in whose station the greatness of the tyrant would have qualified the condition of the slave, and that the same people were now ready to prostrate themselves to the legislative usurpation of another body—a British cabinet—a humiliated, and a tame tyrant. We recollected to have heard that the friends of ministry had lamented that England had not acceded to the American claim of exclusive legislature, and afterward attempted to re-establish British dominion by influencing the American assembly. We saw the ministry pursue that very plan toward Ireland, which they regretted they had not resorted to in the case of America. We need not repeat the particulars; but we saw the result to be on the mind of the people a deep-rooted and established discontent and jealousy; and we conceived that whatever conspiracies existed, in any extent or degree, proceeded from that original and parent conspiracy in the minister to subvert the parliamentary constitution by the influence of the crown. It appeared to us that the discontent and disturbance so created was greatly increased by another cause—the treatment of his majesty's catholic subjects. It is the business of the minister to observe the changes in the national spirit, as much as the changes of foreign combinations. It was the misfortune of our ministry that they never attended to those changes; they did not perceive that the religious principle and temper, as well as the political, had undergone on the Continent, in America, and in Ireland, a fundamental alteration; that the example of America had had prodigious effect on Europe; the example and doctrine of Europe had had no effect on America; they did not see that in consequence of that cause, (there were other causes also) the Irish Catholic of 1792 did not bear the smallest resemblance to the Irish Catholic of 1692; that the influence of pope, priest, and pretender, were at an end. Other dangers and other influences might have arisen, new objects and new passions; the mind of the people is never stationary—the mind of courts is often stagnant; but those new dangers were to be provided against in a manner very different from the provisions made against the old. Indeed, the continuation of the old system of safety approximated and secured the new dangers: unfortunately our ministers did not think so; they thought, they said, that the Irish Catholic,

notwithstanding the American revolution, notwithstanding the French revolution, religious as well as political, was still the bigot of the last century; that with respect to him the age had stood still; that he was not impressed with the new spirit of liberty, but still moped under the old spirit of bigotry, and ruminated on the triumph of the cross, the power of catholic hierarchy, the riches of the catholic clergy, and the splendour of the catholic church. You will find the speeches of the catholic opponents, particularly the ministerial declaimers, dream on in this manner; and you will find from the publications of those speeches and of the Catholics, that the latter had laid aside their prejudices, but that the ministers had not: and one of the causes why those ministers alleged that the catholic mind had not advanced, was, that their own mind had stood still; the state was the bigot, and the people the philosopher. The progress of the human mind in the course of the last twenty-five years has been prodigious in Ireland. I remember when there scarcely appeared a publication in a newspaper of any degree of merit, which was not traced to some person of note on the part of government or the opposition; but now a multitude of very powerful publications appear from authors entirely unknown, of profound and spirited investigation. There was a time when all learning in Europe was confined to the clergy; it then advanced among the higher orders of the laity, and now it has gone among the people; and when once the powers of intellect are possessed by the great body of the nation, 'tis madness to hope to impose on that nation civil or religious oppression, particularly in those whose understandings have been stationary, though their power and riches have been progressive. The politics of the castle, with the religious feuds of Ireland had occupied and engrossed their mind; the eye of that mind or their intellectual vision, had become, of course, subtle indeed, but extremely little: on the other hand, the politics of Europe and America had occupied the mind of the people, and therefore the mind of the people had become comprehensive; and when the former complained of the press, they complained of the superiority of the popular understanding. It appeared to us that the best remedy was to raise the understanding of the great, by enlarging the sphere of its actions; viz. reforming the parliament. But to return. The ministry, however, thought proper to persist in hostility to the catholic body, on a false supposition of its bigotry: the consequence of such an attempt was that the great body of the Catholics, I mean that part the most popular and energetic, disappointed, suspected, reviled, and wearied, united with that other great body of the reformers, and formed a Catholic, Presbyterian and Protestant league, for the freedom of the religion, and the free and full representation of the people. Out of this league a new political religion arose, superseding in political matter all influence of priest and parson, and burying for ever theological discord in the love of civil and political liberty. This is at present in all political matters the Irish religion. What is the Irish religion? Unanimity against despotism. Viewing the state of the country in this light, it appeared to us that the unconstitutional influence of the crown, and the proscription of the Catholics, were the fundamental causes of our discontent and jealousy: with these there existed other discontents, distinct from these causes; without these causes insignificant, but with these causes creating great agitation and disturbance. Two remedies occurred—coercion and conciliation: we opposed the former, and we proposed the latter. I will trouble you with our reasons: we con-

sidered the system of coercion would in the first instance destroy the liberty of the people, and in the second instance would subvert the authority and powers of government. Here I beg to recur to what I have just observed on the necessity for those who administer a country, to advert to the changes that take place in the temper and understanding of the people. Unfortunately, the ministry provided for the purpose of making the people quiet and contented, a system of laws and proclamations, which, had they been quiet before, would have rendered them distracted. I need not repeat them; we all know them; we had the barren office of giving fruitless opposition; we saw a spirit of reform had gone forth; it had conquered in America; it had conquered in France; both here and in England it existed, and was chiefly nourished and propagated by the abuses of our government. It appeared to us that the best way of starving that spirit, was to remove its food; far otherwise the proposers of the plan of coercion; they thought it better to feed that spirit, and to cherish the abuses and increase them; they hoped to fortify their constitution against an epidemic distemper, by preserving uncured the old gouts and rheumatisms, and a host of other disorders The power of limited monarchy was not to be preserved by constitutional power, which is its natural ally, but by despotic power, which is its natural death and dissolution. Instead of correcting the abuses of the state, they invented laws which were themselves an abuse, and proclamations which were an abuse also; and which greatly, though silently, propagated the new principle. There are two ways by which a new principle spreads; one is by arms, and by martyrdom the other. The Mahomedan religion was propagated by arms; it pleased Providence that the Christian religion should have been propagated by the latter. See whether the unfortunate choice of our ministers has not given to the new principle the benefit of both: they have fled before it abroad, and they have trampled on it at home, and given it the double recommendation of conquest and martyrdom. This consideration was one of my objections to persist in the war with France on account of Brabant, and it is one of my objections to persist in a war with the Irish on account of venal boroughs. Had the government, instead of aggravating, restrained abuses, they would have put the state at the head of a spirit of reform, which they could no longer resist, and could only hope to moderate; it was to such a policy adopted by Queen Elizabeth, that the Church of England owes principally what it retains of power and splendour, preserved by the government of the country who took the lead in the reformation; but ours fell into a different project, they armed *cap-a-pie* against a spirit which they could not confine by arms abroad nor by executions at home; and, therefore, instead of being at the head of popular measures, they were at the tail of them; in the Catholic question, in the place bill, in the pension bill, in every bill of a popular tendency, they resisted at first, they yielded at last, reluctantly and imperfectly, and then opposed, condemned, and betrayed the principle of their own acquiescence; they agreed to a place bill for instance, and then they multiplied places manifold. What is the bar bill or the bill that creates thirty new places for the gentlemen of the law? They agreed to the first Catholic bill, and then proscribed the person of the Catholics, and oppose his freedom in corporations; they had before agreed to the establishment of the independency of the Irish parliament, and then had created a multitude of officers to make that inde-

pendency a name. It is reported to have been said by some of the ministers of England that his majesty's reign has been to Ireland a course of concession, and it was much a subject of wonder that the people of Ireland should persist in their dissatisfaction; the answer to those ministers is obvious, the concessions were extorted from ministers by perseverance of opposition, and they were rendered abortive by the treachery of ministers. The recognition of our parliamentary rights has been rendered abortive by unexampled exertions of bribery and corruption; the freedom of our trade by debt and war; and the elective privileges of our Catholics by a course of personal persecution and corporate influence; and, on the whole, the benefit of constitutional laws by the administration of an unconstitutional government. When the ministers talk of their concessions to Ireland, do they know the concessions of Ireland to them? Do they know the debt of the war? Continue that rate of expense, and the English wars of the next century will have the same effect as the English prohibition of the last—they will annihilate the trade of Ireland. But to return to the administration. They relapsed into their violence when they recovered from their fears, and their system has been therefore occasionally violent and weak, never strong and uniform. It is an observation of Lord Bacon, that the fall of one of the Roman emperors was due not to his tyranny nor his relaxation, but to both, and that the fluctuating system is ever fatal; it is an observation of the same, that the way to resist the progress of a new sect is to correct the abuses of the old ones. Unhappily our ministers differed from Bacon; their system was faithful to no one principle, either of violence or concession. We objected that it could not now resort to unqualified violence without incurring all the objections belonging to a policy of submission coupled with a policy of violence, and that it could not hope to obtain the advantages appertaining to either. In pursuit of such a system the ministers seemed to us to have lost not only their discretion but their temper; they seemed vexed with themselves for being angry; they seemed to become in a passion with themselves, because they had lost their temper with the people; in its struggle with popular rights, the state, like a furious wrestler, lost its breath as well as its dignity; as if an angry father should lose his temper with his child, in which case the old fool is the most incorrigible. In the mean time the enemy seemed to understand our situation perfectly well, and relied on our expences for dissolving our credit, and our intemperance for dissolving our authority; and at the very time when we were precipitating on such measures at home, we were receiving the most melancholy communications from abroad; we saw the minister retreating from the enemy with as rapid a step as he advanced upon the people, going back, and back and back, while the democratic principles in Europe was getting on and on, like a mist at the heels of the countryman, small at first and lowly, but soon ascending to the hills and overcasting the hemisphere. Like the government we wished to provide against this storm, like the government we wish to disarm the people; as the best means of safety, we wished to disarm the people; but it was by the only method by which a free people can be disarmed—we wished to disarm the people of their grievances, and then their other arms, their less dangerous arms, the bayonet and even the pike, would be retained for no other use but the use of the government. A naked man oppressed by the state is an armed host. A few decent bishops sent to the tower against law, produced the revolution. Mr.

Hampden, with the four other innocent persons, arraigned by Charles I. for high treason, produced the civil war; that grey-coated man or the green man sent on board a tender, or detained in prison without trial; he, too, will have his political consequence. Sensible acts of violence have an epidemic force; they operate by sympathy, they possess the air as it were, by certain tender influences, and spread the kindred passion through the whole of the community. No wonder the difficulties have increased on the government. Sad experiment! to blood the magistracy with the poor man's liberty, and employ the rich, like a pack of government blood-hounds, to hunt down the poor! Acts of violence like these put an end to all law as well as liberty, or the affectation and appearance of either. In the course of the session we asked to what end all this? and accompanied our question by stating the enfeebled resources of the country. We had mentioned at the beginning that the debt of the war had been about 5,000,000*l.* we were told it was an error. I wish it had been so; but, on examination, that sum appeared somewhat about the debt of the war. And it will appear, if the present loans are filled, that the debt of the war will be near 8,000,000*l.* We submitted the effects of the war on the resources of the country, and here again it was said we were in error. I wish we had been so; but at what interest does the state borrow money? an interest which, between man and man, would be usury, and nearly double the former rate. We mentioned the state of the revenue to have declined; again were we contradicted; but what is the fact? what business is now done on the quay? We did not wish to reveal the *arcana imperii*, we stated nothing more than appeared from the terms proposed in the gazette, from the returns of your custom-house, and the printed resolutions touching the state of your manufactures; and we stated those public facts, not to damp the public confidence in the defence of the country, but to abate a little of that frantic confidence manifested in a determination, at the hazard of her safety, to go on with a system of domestic coercion till the minister should conquer the people—and of foreign war till the same minister should achieve another conquest, at the risk of general ruin—till he should, sword in hand, recover Brabant. That minister has found it a more pressing experiment to defend Cork than to take Flanders, as the emperor has found it a safer experiment to abandon Flanders and Italy to save Vienna. We mentioned those our objections to such folly then, and I repeat them now, not to damp your zeal against a foreign enemy, but to confine the zeal of government to one enemy, and to deprecate a second enemy—our own people, and a civil war added to a foreign one. Such was the system of coercion. To oppose a remedy is easy, to propose one is difficult and anxious; it appeared to us that we should fail in duty and in candour, if when we resisted the project of government, we did not submit a plan of our own, and the only plan that appeared to us to promise peace or prosperity was conciliation; we proposed, accordingly, the emancipation of the Catholics and a reform in the commons house of parliament. To the first it was objected, that such a measure was irreconcileable with the safety of the king or the connexion with England. To the first objection we answered, that the capacities of three-fourths of the people should not be made a personal compliment to his majesty, and that the pretence for taking away those capacities should not be the religion of his majesty's allies, of his present subjects of Canada, of his late subjects of

Corsica, of a considerable part of his fleet, and of a great part of his army; that the principles that placed his family on the throne were those of liberty; and that his Irish subjects, if not convicted of felony, were entitled to the benefit of those principles; and that the Catholics have, in justice and reason, at least as good a right to liberty as his majesty has to the crown. We observed, that the only impediment to the Catholic claim, as the law now stands, was the oath requiring the abjuration of the worship of the Virgin Mary, and of the doctrine of the real presence; that to make these points, at such a time as this, matter of alarm to the safety of the king, was to give an air of ridicule to the serious calamities in which those, his ministers, had involved him; that such opinions, now abstracted from foreign politics, it was beyond the right or the power of the state to settle or punish; that kings had no right to enter into the tabernacle of the human mind, and hang up there the images of their own orthodoxy; that the Catholics did not insist his majesty should be of their religion; that his majesty had no right to exact that the Catholics should be of his; that we knew of no royal rule either for religion or mathematics; and indeed the distance between divine and human nature being infinite, the proportion in that reference between the king and the subject is lost, and therefore, in matters of religion, they both are equally dark, and should be equally humble; and when courts or kings assume a dictation on that subject, they assume a familiarity with the Almighty, which is excess of blasphemy as well as of blindness. Our contemplation, the most profound, on divine nature can only lead us to one great conclusion, our own immeasurable inanity; from whence we should learn, that we can never serve God but in serving his creature, and to think we serve God by a profusion of prayer, when we degrade and proscribe his creature and our fellow-creature, was to suppose heaven, like the court of princes, a region of flattery, and that man can there procure a holy connivance at his inhumanity, on the personal application of luxurious and complimentary devotion. Or, if the argument were to descend from religious to moral study, surely, surely ministers should have remembered that the Catholics had contributed greatly to the expenses of the war, and had bled profusely therein; that they themselves were much in debt to human nature, and should not lose that one opportunity of paying a very small part of it, merely by a restoration of loyal subjects to their own inheritance, their liberty. We suggested such a step as a measure of policy as well as justice, with a view to the strength and power of his majesty, who was most improperly made a bar to such a concession. We suggested that his situation with regard to America, to Europe, to his allies and enemies, was critical; and that it was a mockery of that situation to suppose that the worship of the Virgin Mary, or the doctrine of real presence, constituted any part of the royal difficulties; that there was no spectre to disturb the royal imagination, but an existing substance; a gigantic form walked the earth at this moment, who smote crowns with a hundred hands, and opened for the seduction of their subjects a hundred arms—democracy; and we implored ministers against such an enemy, to ally and identify the king with all his people, without distinction of religion, and not to detach him from any part of them to make a miserable alliance with priestcraft, which was a failing cause and a superannuated folly. With regard to the danger offered to the connexion with England from the emancipation of the Catho-

lics, we observed that the argument was of a most dangerous and insulting nature, for it amounted to a declaration that the privileges of a vast portion of a nation should be sacrificed to another country; that it was not the old internal question, whether the privileges of one part of Ireland should be sacrificed to the ambition of the other, but whether a vast description of the people of Ireland should be sacrificed to England; we observed that in this part of the argument we need not recur to justice, we might rely on policy; and we asked, was it the policy of England, for the purity of Irish faith, to make experiments on Irish allegiance? We did not wish to exaggerate, but were justified in making this supposition—suppose Ireland the seat of government, and that for the better securing the safety of the king, here resident, and for the connexion of Great Britain with Ireland, that the Irish should incapacitate all the Protestants of England? The same affection which England, on that supposition, would afford to the Irish, the same affection has she now a right to expect from Ireland. When England had conquered France, possessed America, guided the councils of Prussia, directed Holland, and intimidated Spain; when she was the great western oracle to which the nations of the earth repaired, from whence to draw external oracles of policy and freedom; when her root extended from continent to continent, and the dew of the two hemispheres watered her branches; then, indeed, we allowed with less danger, but never with justice, she might have made sacrifices of the claims of the Irish. I do not mean, we did not mean, to press a sense of the change which has taken place in the power of England, further than to prevent further changes more mortifying and decisive, and to impress on Great Britain this important conviction, that as Ireland is necessary to her, so is complete and perfect liberty necessary to Ireland, and that both islands must be drawn much closer to a free constitution, that they may be drawn closer to one another. The second part of our plan of conciliation was the reform of parliament. The object of the plan was to restore the house of commons to the people. If the plan do not accomplish that, it is not the idea of the framers; but no plan could satisfy those persons who wished to retain the credit of reformers and the influence of boroughs; no plan could satisfy those who complained when any vestige of borough influence was continued, that the parliament was not reformed, and when the vestiges were swept away, that the constitution was demolished; no plan could satisfy those who desired that the boroughs should be destroyed and preserved, and were willing to let their people sit in the house of commons provided aristocracy sat in their lap. It is in favour of the plan submitted, that, without any communication whatever with the other side of the water, it bears a strong and close resemblance to the plan proposed in the parliament of Great Britain, and in that resemblance carries with it a presumption that it has a foundation in common sense and common interest; the objections to it, founded on the presumed antiquity of the borough system, hardly ventured to make their appearance; examination into the subject had shown that the greater part of the Irish boroughs were creations by the house of Stuart for the avowed purpose of modelling and subverting the parliamentary constitution of Ireland; that these were understated when called abuses in the constitution, that they were gross and monstrous violations, recent and wicked innovations, and the fatal usurpations on the constitution, by kings whose family lost the throne for

crimes less deadly to freedom, and who in their star chamber tyranny, in their court of high commission, in their ship money, or in their dispensing power, did not commit an act so diabolical in intention, so mortal in principle, or so radically subversive of the fundamental rights of the realm, as the fabrication of boroughs, which is the fabrication of the court parliament, and the exclusion of a constitutional commons, and which is a subversion, not of the fundamental laws, but of the constitutional law-giver; you banish that family for the other acts, and you retain that act by which they have banished the commons.

"It was objected with more success that the constitution of boroughs, however in theory defective, has worked well in fact; but it appeared to us that this was an historic error—we stated in answer to that objection, that the birth of the borough inundation was the destruction of liberty and property—that James I. the king who made that inundation, by that means destroyed the titles of his Irish subjects to their lands, without the least ceremony—the robbery of his liberty was immediately followed by the robbery of his property; for, rely on it, the king that takes liberty will very soon take away property—he will rob the subject of his liberty and influence, and then he may plunder him of his property by statute. There were at that time, the historian adds, inferior grievances. What were they? Martial law and extortion by the soldiers, in levying the king's duties; a criminal jurisdiction exercised by the Castle chamber, and a judicial power by the council. These inferior and those superior grievances amounted to no law at all. How could it happen, says the historian, that the king could do all this with so small an army; seize the properties of the subjects, and transport the inhabitant? I will presume to conjecture; the king had another instrument, more subtle and more pliable than the sword, and against the liberty of the subject more cold and deadly, a court instrument that murders freedom without the mark of blood, palls itself in the covering of the constitution, and in her own colours, and in her name, plants the dagger—a borough parliament. Under this borough system, the reign of James was bad, but the next was worse; the grievances which England complained of, under Charles the First, were committed in Ireland also. Those measures, I mean, called the new councils; they had been aggravated here by an attempt to confiscate the province of Connaught. There is extant a correspondence on the subject of Ireland, between the king and his deputy, Lord Strafford, of a most criminal and disgusting nature: his majesty begins by professing his general horrors of the constitution; he proceeds to acknowledge his particular injuries to the Irish; he owned that he had defrauded the Irish of their promised graces, and he expresses his fears that they have a right, in justice, to ask what it was his interest as it appeared to be his determination to refuse. His deputy—what does he do? He exceeds his royal master in his zeal against the pretensions of Ireland. A judicious court sycophant will often flatter the court of St. James, by Irish sacrifices, whether it is the constitution, or the fair name of the country. He, the deputy, had, said the historian, two great objects—one was to fleece the people of Ireland, and the other was to cheat them—to get the money and to elude the graces. He succeeded—why? Because there was another—a third instrument, worse than himself—a borough parliament; that borough parliament met—it voted six subsidies, and redressed nothing: this is virtue and public spirit, in

comparison to what it did after. After committing these crimes, for which the deputy justly lost his head—after having seized part of the province of Connaught—after the inflicting martial law, monopolies, raising an army against law, and money to pay that army against law—after fining and confining against law—the borough parliament vote that deputy an extraordinary supply; and in the preamble of the act they pass on the deputy an extraordinary panegyric, with such a thorough conviction of his iniquity and their own, that they after impeach that very minister, for those very acts, and record a protestation against the record of their panegyric, to give way to the meanness of another borough parliament, who, on the return of his family, cancels the record of the protestation to restore the force of the panegyric. Massacre, confusion, civil war, religious fury, followed naturally and of course. Here you see hatched and matured the egg that produced the massacre and all that brood of mortal consequences.

"The principles of right were rooted out of the land by government, and they were amazed at anarchy—the barriers against inundation were removed by the government, and they were astonished to be overwhelmed by a popular torrent—the principles of robbery were planted by the deputy, and the government were surprised at the growth of popular pillage. Had the country been left to a state of a barbarous nature, she could not have been so shattered and convulsed as when thus reduced to a state of barbarous art, where the government had vitiated that parliamentary constitution it professed to introduce, and had introduced without professing it, influence not civilization—had set one order of the nation in feud against the other—had tainted the gentry with the itch of venality, (there was bribery in those days as well as violence) and had given them ideas of vice but not days of refinement. I pass over a hundred and thirty years, a horrid vacuum in your history of borough parliaments, save only as it has been filled with four horrid images in the four-fold proscription of the religion, trade, of the judicative and legislative authority of the country, by the commercial restrictions of William, the penal laws of William and Anne, and the declaratory act of the 6th of George; and I come to the boundary of the gulf, where the constitution begins to stir and live in an octennial bill, accompanied, however, with, and corrected by, a court project of new parliamentary influence and degradation. This object may be called a court plan for reforming borough parliaments; but reforming them not on the principle of popular representation, but of a more complete and perfect exclusion and banishment of the commons. The people had begun to form certain combinations with the ogligarchy, and, like weeds, began to grow a little about the doors and courts of their own houses of parliament, and like weeds it was thought proper to banish them; and as government had before resorted to the creation of boroughs, to overwhelm the commons, so now they resorted to a new host of places and pensions to overwhelm the oligarchy. This is the famous half million, or the experiment of the castle, to secure the dependance of parliament, and to prevent the formation of an Irish party against the domination of a British cabinet. The court could not then, like the first James and the first Charles, command to rise up a new fabric of boroughs, like a real pandemonium, to constitute a real house of commons; it therefore engendered a young and numerous family of places and pensions, to bribe and to buy, and to split and shatter, and to corrupt the oligarchy. Thus were

the people once more excluded from the chance of influence in parliament, and as it were shouldered from the threshold of their own house by a host of placemen and pensioners who had left the cause of the country to follow the fortunes of the aristocracy, and now left the aristocracy to follow the fortunes of the court, and then voted new loans and new taxes to furnish wages for the double apostacy. You had now but little to give up, and that little you surrendered; you gave your provision trade by an embargo of '76 to the contractors, and you surrendered, by new loans and taxes, your revenues to the minister. You accompanied these sacrifices with the unvarying felicitations of borough parliaments, on the virtues of government, on the great and growing prosperity of your country, and her commerce, which bring the poor progress of the country, your borough history and that of your chief governors, 'a continuation of rapine,' they have been wittily called, to the catastrophe of 79, which found your state a bankrupt, and your community a beggar, and which induced parliament to declare that such has been the working of your borough system, and such the sense of that parliament respecting it, that nothing but a free trade could save the country from impending ruin. I wish to speak with all honour of the parliament at that moment, but must recollect the circumstances of that moment. Why did parliament express itself in that manner at that time, and demand its rights a short time after? Because parliament was at those moments in contact with the people, and it is the object of the reform that she should continue in contact with the people always, and with the minister never, except the people should be in contact with him; that parliament declared that nothing could save this country from impending ruin, except a free trade; but in declaring that, it declared much more; it protested against these borough parliaments of a century, who had acquiesced in the loss of a free trade, who had suffered the country to be reduced to that state of impending ruin, for want of that free trade, and who had beheld the approaches of that ruin with a profusion of thanks and a regular felicitation on the growing prosperity and flourishing commerce of a ruined country; and that parliament did, by necessary inference, declare that, to save the country from returning to that state of ruin, it was absolutely necessary to reform the state and model of those borough parliaments, and therefore is an authority for a popular representation, as well as for a free trade; indeed, it not only proclaimed the necessity, but constituted it; for in a short time after it gave this country a new political situation, wherein she ceased to be a province, and became a nation; and of course it rendered those borough parliaments, that were adequate to the management of a province, absurd and inapplicable when that province became a nation. A province must be governed with a view to the interest of another country—a nation with a view to her own interest; a borough parliament was therefore not only competent to govern a province, but the only kind of parliament fit for the degradation of such a service, and for that very reason it was the most unfit and inadmissible instrument in the government of a nation; for the principle of its birth being in that case opposed to the principle of its duty—the principle of its birth being court intrigue, with touched and tainted contractors, and the principle of its duty being the defence of the nation against such intrigue and such contractor—the nature of parliament being opposed to its duty, or its duty to its parent being in contradiction with

its duty to its country—it follows that the nation in such a case must be re-provincialized, and the independency supposed, to have been then obtained, at that period would have been only a transfer of dependency from the parliament of Great Britain to the court of St. James's, in covin and in couple with the borough brokers of Ireland; therefore the independency of your parliament, and the full and free representation of your people, are terms synonymous and commensurate. In opposition to this history, and these arguments submitted in different shapes to the house, in support of parliamentary reform, it was replied, that the borough constitution had worked well at least since 1782—for before, no man will contend for it—and that the country had greatly advanced in commerce and in tillage; and indeed, as far as the ploughman and the weaver are concerned, too much cannot be said to justify against every charge of sloth, the character of the Irishman, and to vindicate against a vulgar error the native energy of a strong, hardy, bold, brave, laborious, warm-hearted, and faithful race of men. But as far as that boast goes to political measures, we cannot so well express our detestation of them as by recital; the propositions—the new taxes without the trade—the new debt, notwithstanding the new taxes—the sale of the peerage—the surrender of the East India trade for the re-export trade—the refusal of the re-export trade, without such barter—the inequality of the channel trade, and the present provincial tariff suffered still to obtain between the two countries—8,000,000*l.* of loan voted on account of the war, without commercial compensation, liberality, or equality—the increase of offices, for the professed purposes of procuring a majority—another increase of offices since the place bill—the bar bill—the convention bill—the gun-powder bill—the indemnity bill—the second indemnity bill—the insurrection bill—the suspension of the habeas corpus—General Lake's proclamation by order of government—the approbation afforded to that proclamation—the subsequent proclamation of government, more military and decisive—the order of the military to act without waiting for the civil power—the imprisonment of the middle orders without law—the detaining them in prison without bringing them to trial—the transporting them without law—burning their houses—burning their villages—murdering them; crimes, many of which are public, and many committed which are concealed by the suppression of a free press by military force; the preventing the legal meetings of counties to petition his majesty, by orders acknowledged to be given to the military to disperse them; subverting the subject's right to petition! and, finally, the introduction of practices not only unknown to law but unknown to civilized and christian countries. Such has been the working of the borough system; nor could such measures have taken place but for that system. Such practices however, have in part been defended as acts of power necessary to prevent insurrection, and punish conspiracy. But it appeared to us that in these practices government was combating effects, not causes; and that those practices increase these causes, and therefore will increase those effects; that admitting every charge of conspiracy and disaffection in its fullest extent—that conspiracy and disaffection are only effects of that great fundamental cause; that parent conspiracy formed some years ago, to procure by corruption despotic power. That is the cause, and that cause acts according to the reception of its matter, and the tempers and constitution, to which it applies; and therefore produces on some

men disloyalty, in some republicanism, in some the spirit of reform; but in all deep, great, and growing discontent. That is the cause and the poison which has made some men mad, and all men sick; and though the government may not be able to restore reason to the mad, or loyalty to the republican, yet if they mean to restore health to the sick, if they mean to restore content and confidence to all, to most, or to any considerable portion of the people, they must take away the poison, they must remove the cause, they must reform the parliament. They have told us at some times, and at other times they have said the contrary, that it is a spirit of plunder, not politics, that is abroad; idle talk—whatever be the crime of the present spirit, it is not the crime of theft—if so, it were easily put down; no, it is a political, not a predatory spirit; it is the spirit of political reformation, carried to different degrees—to liberty in some instances, to ambition in others, and to power in others. And even in these cases where charged to be carried to confiscation, it is evident from the charge itself that confiscation looks to political vengeance, not private plunder; and therefore the best way of laying that spirit, of whatever designs or intents, is to lay the pre-existing spirit of unlawful power and unconstitutional influence that has frighted the people from parliament, and has called to our world that other potent and uncircumscribed apparition. The way to defend your property is to defend your liberty; and the best method to secure your house against a defender is to secure the commons house against a minister. 'There was ambition, there was sedition, there was violence, mixing in the public cause,' said Lord Chatham to Mr. Flood, in a private conversation, as he told me, on the civil war between Charles I. and his people. 'There was,' said he, 'ambition, there was sedition, there was violence; but no man will persuade me that it was not the cause of liberty on one side, and tyranny on the other.' So here there may be conspiracy, there may be republicanism, there may be a spirit of plunder mixing in the public cause; but it is a public cause, and let no man persuade you that it is not the cause of liberty on one side and tyranny on the other. The historian of these melancholy and alarming times, censuring perhaps both the minister and the opposition, and censuring us more for our relaxation than violence, will, if a candid man, close the sad account by observing, 'that on the whole, the cause of the Irish distraction of '97 was the conduct of the servants of government, endeavouring to establish, by unlimited bribery, absolute power; that the system of coercion was a necessary consequence, and part of the system of corruption, and that the two systems, in their success, would have established a ruthless and horrid tyranny, tremendous and intolerable, imposed on the senate by influence and the people by arms.' Against such excess of degradation, against any excess whatsoever, we moved the middle, and, as we thought, the composing and the salutary measure—a reform of parliament, which should give a constitution to the people—and the Catholic emancipation, which should give a people to the constitution. We supported that measure by the arguments herein advanced, and we defended ourselves by such, against a deluge of abuse conveyed in the public prints against us on account of that measure; and I re-state those arguments, that however the majority of the house of commons might have been affected, your understanding may not be carried away by such a torrent of invective. We urged those considerations; we might have added, in our defence, the dangers of invasion and

insurrection, panics most likely to incline the minister to concur in such a measure, which measure seems to be our best, I might say our only, defence against those dangers and those panics: we might have added considerations of the immense expense attendant on the working, as it is called, of this borough constitution; which expense may be called the prodigality of misrepresentation, or the huge and gigantic profusion which the people supply for turning themselves out of parliament. It is well known that the price of boroughs is from 14 to 16,000*l.* and has in the course of not many years increased one-third: a proof at once of the extravagance and audacity of this abuse, which thus looks to immortality, and proceeds unawed by the times and uninstructed by example; and, in moments which are held alarming, entertains no fear, conceives no panic, and feels no remorse which prevents the chapman and dealer to go on at any risk with his villanous little barter in the very rockings and frownings of the elements, and makes him tremble indeed at liberty, but not at crimes. 'Suspend the habeas corpus act—take away the poor man—send the reformer to Newgate—imprison the north; but for the trade of parliament, for the borough-broker of that trade, do not affect him: give him a gunpowder act, gave him a convention bill, give him an insurrection bill, give him an indemnity bill, and, having saturated him with the liberty of his country, give him all the plunder of the state.' Such is the practical language of that great noun of multitude—the borough-broker, demurring on the troubles of the times, which he himself has principally caused, and lying at the door of the secretary full of sores and exactions. This sum I speak of, this 14 or 16,000*l.* must ultimately be paid by you: it is this increase of the price of boroughs which has produced the increase of the expense of your establishments, and this increase of the expense of your establishment which has produced this increase for the price of your boroughs; they operate alternately like cause and effect, and have within themselves the double principle of rapid ruin; so that the people pay their members as formerly, but pay them more, and pay them for representing others, not themselves, and giving the public purse, full and open, to the minister, and rendering it back empty to the people. Oh, unthrifty people! who ever surrendered that invaluable right of paying your own representatives; rely on it the people must be the prey if they are not the paymasters. To this public expense we are to add the monstrous and bankrupt waste of private property, becoming now so great that honest men cannot in any number afford to come into parliament; the expense amounts to a child's portion, and that child must be wronged, or the father sold or excluded. Thus, in the borough constitution, is private virtue and public set at variance, and men must renounce the service of their country or the interest of their family; from this evil, the loss of private fortune, a much greater loss is likely hereafter to take place, the loss of talent in the public service; for this great expense must in the end work out of parliament all unstipendiary talent that acts for the people, and supply it by stipendiary talent that acts against them. What man of small fortune, what man of great fortune, can now afford to come into the house of commons, or sustain the expense of a seat in parliament, or of a contested election? And what open place, except in a very few instances (the city is one of them) where the electors return without cost to their representatives? I know some who have great talents, and have exer-

cised them in the public service, are disposed to decline situations, to the honest individual so expensive, and to the public now so unprofitable. To this I am to add a greater evil than those already stated, the expenditure of morals. What shall we say for the morals of a country, how many years purchase would you give for her virtue, whose ministry founded its authority on moral depravity, and formed a league and covenant with an oligarchy to transfer for hire, virtually and substantially, the powers of legislation to the cabinet of another kingdom? We inveigh against other combinations, what sort of a combination is this? This, I know not by what name to approach it, shoots its virus into the heart and marrow of the higher orders of the country. 'Make your people honest' says the court: 'make your court honest,' say the people. It is the higher classes that introduce corruption; thieving may be learned from poverty, but corruption is learned from riches; it is a venal court that makes a venal country; that vice descends from above; the peasant does not go to the castle for the bribe, but the castle candidate goes to the peasant, and the castle candidate offers the bribe to the peasant, because he expects in a much greater bribe to be repaid by the minister. Thus things go on; it is impossible they can last. The trade of parliament ruins every thing; your ministers rested their authority entirely on that trade, till now they call in the aid of military power to enforce corruption by the sword. The laws did, in my judgment, afford the crown sufficient power to administer the country, and preserve the connexion with Great Britain; but our ministers have despised the ordinary tract, and plain, obvious, legitimate, and vulgar bonds between the king and the subject; they have resorted to the guinea and the gallows, as to the only true and faithful friends of the government, and try to hang where they cannot corrupt; they have extended the venal stipendiary principle to all constituted authorities; they have given the taint to the grave corporator as well as the senator, and have gone into the halls and streets to communicate the evil to the middling and orderly part of the society; they have attempted the independency of the bar. I have great objections to the bar bill, and my objections are great in proportion to my regards for the profession, whose signal services to the cause of liberty must prove to every man's conviction how valuable the acquisition, and how inestimable the loss of that profound and acute profession must be to the cause of a country such as this was formerly, where the rule of government was the law of the land. We have heard of complaints against systems of disorganization. What is this system? Is not the corruption of organized bodies their dissolution? Is not their perversion worse than their dissolution? What shall we say of the attempts of ministers on sheriffs, and the appointment of that magistrate, with a view to parliamentary influence only, and to the prevention of legal aggregate meetings, and the suppression of the public sentiment. These things must have an end, this disorganization of constituted authorities by court influence must have an end. I am not superstitious; but I know that states, like individuals, are punished; it is to prevent their punishment we essayed their reformation; they are punished collectively, and they are punished slowly, but they are punished; where the people are generally or universally corrupt, the society comes to a state of dissolution; where that corruption is confined to those who administer the country, that power must come to a state of dissolution; but in order to prevent the society from partaking of that corruption

and by consequence of that dissolution, it is necessary that the power that administers the country should be brought speedily and radically to a state of reformation. The best systems are not immortal; are the worst? Is the trade of parliament immortal? Have the best systems perished? And shall this be impassable and everlasting, infinite in its duration, as it is unbounded in its profligacy. What was the case of Carthage, of Rome, and of the court of France? What is the case of the court of England? Sitting under the stroke of justice for the American war, paying pains and penalties in augmented burdens and diminished glory; that influence which has depressed her liberty, has destroyed her energy, and rendered her as unfit to preserve her empire as her freedom. As long as the battle was between the court and the constitution, the former was perfectly equal to subdue her own people; but when she was to combat another people, she was unequal to the task, and for the very reason, because she had seduced and debased her own. The corruption of the court has rendered England vincible, and has endued her in her present state of national degradation with an insensibility of glory, the result and evidence of mental degeneracy. I remember to have heard Lord Chatham, in one of his speeches on the Middlesex election, observe, that in his ministry the object of the court of England was the conquest of the French, and that now it was the conquest of Mr. Wilkes. The pursuing such like conquests as those over Mr. Wilkes has enabled the French to establish a conquest over the English. The king who is advised to conquer the liberty of his subjects, prepares those subjects for a foreign yoke. The Romans were conquered at Cannæ, first by Varro, and afterwards by Hannibal. The English have been conquered, first by the minister, and afterwards by the French. Those Romans were finally conquered by the barbarians of the north, because they had been previously conquered by the princes of the empire; and then the half-armed savage, with the pike and the pole, came down on the frontiers, and disposed of the masters of the world as of the stock of the land: the gouty stock of the rich, and the mute stock of the people.

"It is now sixty years since the adoption of the project to supply in corruption what the chief magistrate lost in prerogative—the loss of thirteen provinces—of £120,000,000; to lose these provinces, the loss of our station in Europe, the loss of 130 millions, to lose that station, to place the crown of England as low in Europe as in America, and to put France at the head of Europe instead of Great Britain, while her people crouch under a load of debt and taxes, without an empire to console, or a constitution to cover them, has been the working of that project; it has worked so well as to have worked the people out of their liberty, and his majesty out of his empire; to leave him as little authority in Europe as his people in parliament; and to put the king at the feet of France, as the people are put at the feet of the king; public credit has also fallen a victim to this its success, its last great conquest after liberty and empire. In this rapid decline no one minister has been punished or even questioned; and an empire and a constitution have been lost without one penal example; and in a war unparalleled in expense and disgrace, and attended with the grossest and rankest errors, closing the account of blood with proclamations of insolvency, no murmur from the parliament of either countries—no murmur. Far from enquiry or complaint, confidence has uniformly attended defeat and dishonour. The minister's majorities are become as numerous as his disgraces; and so gigantic have been his encroach-

ments on the independency of the constitution, that they can only be matched by the gigantic encroachment of the enemy on the empire. In short, so perfectly do the people appear to be driven out of all footing in the constitution, that when his majesty is driven out of almost all footing in Europe, and a question is made by the people, whether the ministers of these disgraces and dishonours shall be dismissed, they have their majority at hand to support them. Against this inundation of evil we interposed reform; we were convinced of its necessity from the consideration of corruption at home; we were confirmed in that conviction from the consideration of revolutions abroad. We saw the regal power of France destroyed by debts, by expense, and by abuses; we saw the nobility interpose for those abuses only to encumber the throne with their ruins, and to add revolution of property to revolution of government; we saw in the American revolution that a people determined to be free cannot be enslaved; that British government was not equal to the task, even in plenitude of empire, supported by the different governments of the provinces, and by the sad apostacy of the hapless loyalist; that loyalist is a lesson to the rich and great to stand by their country in all situations; and that in a contest with a remote court, the first post of safety is to stand by the country, and the second post of safety is to stand by the country, and the third post of safety is to stand by the country; in that American contest we saw that reform, which had been born in England and banished to America, advanced like the shepherd lad in holy writ, and overthrow Goliath. He returned riding on the wave of the Atlantic, and his spirit moved on the waters of Europe. The royal ship of France went down—the British man of war labours—your vessel is affected—'throw your people overboard,' say your ministers, 'and ballast with your abuses'—'throw your abuses overboard,' we said, 'and ballast with your people.' We recollected these islands were formerly placed in a sea of despotism; we saw they were now two kingdoms in a republican ocean, situated between two great revolutions, with a certainty of being influenced more or less by one or by both. We asked ourselves, was it possible that the American revolution could have had such effects on France, and that the American and the French revolutions would have no effect on these countries. The questions that affect the world are decided on the theatre of the world. The great question of popular liberty was fought on the great rivers of Europe and America. It remained to moderate what we could not govern; and what method so safe to moderate popular power as by limited monarchy? and what method remains to limit the monarchy of these kingdoms (it has now no limits) as by reforming parliament? What method, I say, to prevent a revolution but a reformation?—and what is that reformation of parliament but the restoration to the people of self-legislation, without which there is no liberty, as without reform no self-legislation?—So we reasoned. The government of a country may be placed in the hands of one man, and that one man may reside in another kingdom, and yet the people may be free and satisfied; but to have the legislature of the country, or, what is the same thing, the influencing and directing spirit of the legislature placed out of the country—to have not only the king but the legislature an absentee—to have not only the head but the heart disposed of in another country—such a condition may be a disguised, but it is unqualified and perfect despotism. Self-legislation is life, and has been fought for as for being. It was that principle that called forth resistance to the house of

Stuart, and baptized with royalty the house of Hanover, when the people stood sponsors for their allegiance to the liberty of the subjects; for kings are but satellites, and your freedom is the luminary that has called them to the skies. It was with a view therefore to restore liberty, and with a view also to secure and immortalize royalty, by restoring to the people self-legislation, we proposed reform;—a principle of attraction about which the king and people would spin on quietly and insensibly in regular movements, and in a system common to them both. 'No, no, no; the half million, said the minister, that is my principle of attraction. Among the rich I send my half million, and I dispatch my coercion among the people.' His devil went forth—he destroyed liberty and property—he consumed the press—he burned houses and villages—he murdered and he failed. 'Recal your murderer,' we said, 'and in his place dispatch our messenger—try conciliation. You have declared you wish the people should rebel, to which we answer—God forbid! rather let them weary the royal ear with petitions, and let the dove be again sent to the king; it may bring back the olive. And as to you, thou mad minister, who pour in regiment after regiment to dragoon the Irish, because you have forfeited their affections, we beseech, we supplicate, we admonish, reconcile the people; combat revolution by reform, let blood be your last experiment. Combat the spirit of democracy by the spirit of liberty; the wild spirit of democratic liberty by the regulated spirit of organized liberty, such as may be found in a limited monarchy with a free parliament.' But how accomplish that but by reforming the present parliament, whose narrow and contracted formation, in both countries, excludes popular representation, *i. e.* excludes self-legislation, *i. e.* excludes liberty, and whose fatal compliances, the result of that defective representation, have caused, or countenanced, or sanctioned, or suffered for a course of years, a succession of measures which have collected upon us such an accumulation of calamity; and which have finally, at an immense expense, and through a sea of blood, stranded these kingdoms on a solitary shore, naked of empire, naked of liberty, and naked of innocence, to ponder on an abyss which has swallowed up one part of their fortunes, and yawns for the remainder.

"May the kingly power that forms one estate in our constitution continue for ever; but let it be as it professes to be, and as by the principles and laws of these countries it should be, one estate only, and not a power constituting one estate, creating another, and influencing a third.

"May the parliamentary constitution prosper; but let it be an operative, independent, and integral part of the constitution, advising, confining, and sometimes directing the kingly power.

"May the house of commons flourish; but let the people be the sole author of its existence, as they should be the great object of its care.

"May the connexion with Great Britain continue; but let the result of that connexion be the perfect freedom, in the fairest and fullest sense, of all descriptions of men, without distinction of religion.

"To this purpose we spoke; and, speaking this to no purpose, withdrew. It now remains to add this supplication:—However it may please the Almighty to dispose of princes or of parliaments, MAY THE LIBERTIES OF THE PEOPLE BE IMMORTAL!

"HENRY GRATTAN."

The following curious and interesting document has been procured through the kindness of a friend for insertion in the present work.

ACCOUNT OF THE LATE PLAN OF INSURRECTION IN DUBLIN, AND THE CAUSES OF ITS FAILURE.*

THE plan was comprised under three heads—*Points of Attack*, *Points of Check*, and *Lines of Defence*.

The points of attack were three:—the *Pigeon-House*, the *Castle*, and the *Artillery-Barracks* at Island Bridge.

The attack was to begin with the Pigeon-House, the number of men 200. The place of assembly the Strand, between Irish Town and Sandymount. The time low water. The men to divide into two bodies: one to cross by a sand-bank between the Pigeon-House and the Light-house, where they were to mount the wall, the other to cross at Devonshire wharf; both parties to detach three men with blunderbusses and three with *jointed pikes* concealed, who were to seize the sentries and gates for the rest to rush in. Another plan was formed for *high water*, by means of pleasure or fishing-boats going out in the morning one by one, and returning in the evening to the dock at the Pigeon-House, where they were to land. A rocket from this was to be the signal for the other two, viz.

The Castle, the number of men 200. The places of assembly Patrick's street depot. *A house in Ship-street* was expected, also *one* near the gate. A hundred men to be armed with pointed pikes and blunderbusses, the rest to support them and march openly with long pikes. To begin by the entrance of two job coaches, hackney coachmen, two footmen, and six persons inside, to drive in at the upper gate into the yard, come out of the coaches, turn back and seize the guard (or instead of one of the job coaches a sedan going in at the same time with two footmen, two chairmen, and one inside); at the same moment a person was, in case of failure, to rap at Lamprey's door, seize it, and let in others, to come down by a scaling ladder from a window on the top of the guard-house, while attacks were made at a public-house in Ship-street, which has three windows commanding the guard-house, a gate in Stephen-street, another at the Aungier-street end of Great George's-street leading to the ordnance, another at the new houses in George's-street, leading to the riding-yard, and another over a piece of a brick wall near the Palace-street gate. Scaling ladders for all these. Fire balls if necessary for the guard-house of the upper gate. The LORD LIEUTENANT and *principal officers of government*, together with the bulk of artillery, to be sent off under an escort to the commander in Wicklow, in case of being obliged to retreat. I forgot to mention that the same was to be done with as much of the Pigeon-House stores as could be. Another part with some artillery to come into town along the quays, and take post at Carlisle bridge to act according to circumstances.

ISLAND BRIDGE, 400 men. Place of assembly Quarry-hole opposite,

* Annexed to the copy from which the above has been transcribed is the following memorandum, in the hand-writing of a gentleman who held a confidential situation under the Irish government. "The original of this paper was delivered by Mr. Emmet on the morning just before he was brought out to execution in order to be forwarded to his brother Thomas Addis Emmet at Paris."

and Burying-ground. Eight men with pistols and one with blunderbuss to seize the sentry walking outside, seize the gates, some to rush in, seize the cannon opposite the gate, the rest to mount on all sides by scaling ladders; on seizing this, to send two cannon over the bridge facing the barrack-road. Another detachment to bring cannon down James's-street, another towards Rathfarnham as before. To each of the flank points, when carried, reinforcements to be sent, with horses, &c. to transport the artillery. Island bridge only to be maintained (a false attack also thought of after the others had been made on the rear of the barracks, and, if necessary, to burn the hay stores in rear.)

Three rockets to be the signal that the attack on any part was made, and afterwards a rocket of stars in case of victory, a silent one of repulse.

Another point of attack not mentioned, *Cork-street barracks;* if the officer could surprise it, and set fire to it; if not, to take post in the house (I think in Earl-street, the street at the end of Cork-street, leading to New-market, looking down the street with musquetry, two bodies of pikemen in Earl-street) to the right and left of Cork-street, and concealed from troops marching in that street. Another in (I think Marrowbone-lane) to take them in rear. Place of assembly fields adjacent, or Fenton fields.

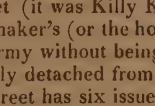
Points of check. The old Custom-house, 300 men. The gateway to be seized and guard disarmed by a few men, the gate to be shut or stopped with a load of straw, to be previously in the street. The other small gate to be commanded by musquetry, and the bulk of the 300 men to be distributed in Parliament-street, Crane-street, and those streets falling into Essex-street, in order to attack them if they forced out. The jointed pikes and blunderbusses lying under great-coats rendered all these surprises unsuspected; fire-balls if necessary, and a beam of rockets.

An idea also was, if money had been got, to purchase Rafferty's cheese-shop, opposite to it, to make a depot and assembly; and to mine under and blow up a part of the Custom-house, and attack them in confusion, as also the Castle. The miners would have been got also to mine from a cellar into some of the streets through which the army from the barracks must march. The assembly was at the coal-quay.

Mary-street barracks, sixty men. A house-painter's house, and one equally removed on the opposite side (No. 36, I believe,) whose fire commands the iron gate of the barracks without being exposed to the fire from it, to be occupied by twenty-four blunderbusses; the remainder, pikemen, to remain nearer Coles-lane, or to be ready, in case of rushing out, to attack them. Assembly Coles-market, or else detached from Custom-house body.

The corner house of Capel-street (it was Killy Kelly's), commanding Ormond Quay, and Dixon the shoemaker's (or the house beyond it), which open suddenly on the flank of the army without being exposed to their fire, to be occupied by Blund:—assembly detached from Custom-house body.

Lines of defence. Beresford-street has six issues from Church-street, viz. Coleraine-street, King-street, Stirrup-lane, Mary's-lane, Pill-lane, and the Quay. These to be chained in the first instance by a body of chainmen; double chains and padlocks were to be done in this form, and marked. The blockade to be after- the Quay by bringing up the coach- and oversetting them, together with the butcher's



were deposited: they the sills of the doors wards filled up; that on es from the stand, blocks from Ormond-

market. The houses over the chains to be occupied with hand-grenades, pistols, and stones. Pikemen to parade in Beresford-street, to attack instantly any person that might penetrate; the number 200. Assembly, Smithfield depot, where were 800 pikes for reinforcements. The object was to force the troops to march towards the Castle, by the other side of the water, where the bulk of the preparations and men to receive them were.

Merchants' Quay. In case the army, after passing the Old Bridge, marched that way, Wogan's house, and a Birmingham warehouse next to it, to be occupied with musquetry, grenades, and stones; also the leather Crane at the other end of the Quay: a beam to be before the Crane, lying across the Quay, to be fired on the approach of the enemy's column. A body of pikemen in Winetavern-street instantly to rush out on them in front, another body in Cook-street to do the same, by five lanes opening on their flank, and by Bridge-street in their rear. Another beam in Bridge-st. in case of taking that route, and then the Cook-street body to rush out instantly in front, and the Quay on the flank N. there was also a chain higher up in Bridge-street, as well as diagonally across John-street, and across New Row, as these three issues led into the flank of the Thomas-street line of defence, which it was intended only to leave open at the other flank, as it was intended to make them pass completely through the lines of defence. Wherever there were chains, the houses over them were occupied as above, and also such as commanded them in front. For this reason the Birmingham warehouse, looking down Bridge-street, was to be occupied if necessary. There was also to be a rocket-battery at the Crane on the Quay, and another in Bridge-street; the number of men 300. Assembly, Thomas-street; depot Castigan's Mill.

Thomas-street. In case of coming by Queen's-bridge, a beam in Dirty-lane; main body of pikemen in Thomas-street to rush on them instantly on firing the beam. The body on Quay to attack in rear: in case of repulse, Catharine's church, Market-house, and two houses adjacent, that command that street, occupied with musquetry. The rocket-batteries near Market-house, a beam before it, body of pikemen in Swift's alley, and that range, to rush on their flank, after the beam was fired through Thomas-court, Vicars-street and three other issues: the corner houses of those issues to be occupied by stones and grenades; the entire of the other side of the street to be occupied with stones, &c. the flank of this side to be protected by a chain at James's Gate, and Guinness' Drays, &c. the rear of it to be protected from Cork-street, in case the officer there failed, by chains across Rainesford-street, Crilly's-yard, Meath-street, Ash-street, and Francis-street. The Quay body to co-operate by the issues, before-mentioned (at the other side) the chains of which could be opened by us immediately. In case of further repulse, the houses at the corner of Cutpurse row, commanding the lanes at each side of Market-house, the two houses in High-street, commanding that open, and the corner house of Castle-street, commanding Skinner-row, to be successively occupied. In case of final retreat, the routes to be three: Cork-street to Templeogue New-street, Rathfarnham, and Camden-street department. The bridges of the Liffey to be covered six feet deep with boards full of long nails bound down by two iron bars, with spikes eighteen inches long, driven through them into the pavement, to stop a column of cavalry or even infantry.

The whole of this plan was given up by me, for the want of means, except the Castle and lines of defence, for which I expected 300 Wexford men, 400 Kildare men, and 200 Wicklow, all of whom had fought before, to begin the surprises at this side of the water, and by the preparations for defence, so as to give time to the town to assemble. The county of Dublin was also to act the instant it began; the number of Dublin people acquainted with it I understood to be about 3 or 4000. I expected 2000 to assemble at Castigan's Mill, the grand place of assembly. The evening before, the Wicklow men failed, through their officer. The Kildare men who were to act (particularly with me) came in, and at five o'clock went off again, from the canal harbour, on a report from two of their officers that Dublin would not act. In Dublin itself, it was given out, by some treacherous or cowardly persons, that it was postponed till Wednesday. The time of assembly was from six till nine: and at nine, instead of 2000, there were 80 men assembled; when we came to the Market-house they were diminished to eighteen or twenty. The Wexford men did assemble, I believe to the amount promised on the Coal Quay; but 300 men, though they might be sufficient to begin on a sudden, were not so, when government had five hours notice by expresses from Kildare.

Add to this, the preparations were, from an unfortunate series of disappointments in money, unfinished, scarcely any blunderbusses bought up.

The man who was to turn the fuzes and rammers for the beams forgot them, and went off to Kildare to bring men and did not return till the very day. The consequence was, that all the beams were not loaded, nor mounted with wheels, nor the train bags of course fastened on to explode them. From the explosion in Patrick-street, I lost the jointed pikes which were deposited there; and the day of action was fixed before this, and could not be changed.

I had no means for making up for their loss, but by the hollow beams full of pikes, which struck me three or four days before the 23d.

From the delays in getting the materials, they were not able to set about them till the day before; the whole of that day and the next, which ought to have been spent in arrangements, was obliged to be employed in work. Even this, from the confusion occasioned by men crowding into the depot from the country, was almost impossible.

The person who had the management of the depot mixed, by accident, the slow matches that was prepared with what was not, and all our labour went for nothing.

The fuzes for the grenades he had also laid by, where he forgot them, and could not find them in the crowd.

The cramp-irons could not be got in time from the smith's to whom we could not communicate the necessity of despatch, and the scaling ladders were not finished (but one.) Money came in at five o'clock, and the trusty men of the depot, who alone knew the town, were obliged to be sent out to buy up blunderbusses, for the people refused to act without some.

To change the day was impossible, for I expected the counties to act, and feared to lose the advantage of surprise.

The Kildare men were coming in for three days; and, after that, it was impossible to draw back. Had I another week, had I 1000*l.* had I 1000 men, I would have feared nothing. There was redundancy enough in any

one part to have made up, if complete, for deficiency in the rest; but there was failure in all—plan, preparation, and men.

I would have given it the respectability of insurrection, but I did not wish uselessly to spill blood: I gave no signal for the rest, and they all escaped.

I arrived time enough in the country to prevent that part of it, which had already gone out with one of my men to disarm the neighbourhood, from proceeding. I found that, by a mistake of the messenger, Wicklow would not rise that night: I sent off to prevent it from doing so the next night, as it intended. It offered to rise even after the defeat, if I wished it, but I refused. Had it risen, Wexford would have done the same. It began to assemble, but its leader kept it back, till he knew the fate of Dublin. In the state Kildare was in, it would have done the same. I was repeatedly solicited by some of those who were with me to do so, but I constantly refused. The more remote counties did not rise, for the want of money to send them the signal agreed on.

I know how men without candour will pronounce on this failure, without knowing one of the circumstances that occasioned it. They will consider only that they predicted it; whether its failure was caused by chance, or by any of the grounds on which they made their prediction, they will not care; they will make no distinction between a prediction fulfilled and justified, they will make no compromise of errors—they will not recollect that they predicted also that no system could be formed—that no secresy nor confidence could be restored—that no preparations could be made—that no plan could be arranged—that no day could be fixed, without being instantly known at the Castle; that government only waited to let the conspiracy ripen, and crush it at their pleasure; and that on these grounds only they did predict its miscarriage. The very same men, that, after success would have flattered, will now calumniate. The very same men, that would have made an offering of unlimited sagacity at the shrine of victory, will not now be content to take back that portion that belongs of right to themselves, but would violate the sanctuary of misfortune, and strip her of that covering that candour would have left her. R. E.

Shortly after Mr. Curran's death, several attestations to his character and powers appeared in the London newspapers. From these the two following are selected: the first which appeared in The Morning Chronicle two days after his decease, was written by Mr. Godwin.

"Mr. Curran is almost the last of that brilliant phalanx the cotemporaries and fellow-labourers of Mr. Fox, in the cause of general liberty. Lord Erskine in this country, and Mr. Grattan in Ireland, still survive.

"Mr. Curran is one of those characters which the lover of human nature and its intellectual capacities delights to contemplate: he rose from nothing; he derived no aid from rank and fortune; he ascended by his own energies to an eminence which throws rank and fortune into comparative scorn. Mr. Curran was the great ornament of his time of the Irish bar, and in forensic eloquence has certainly never been exceeded in modern times. His rhetoric was the pure emanation of his spirit, a warm-

ing and lighting up of the soul, that poured conviction and astonishment of his hearers. It flashed in his eye, and revelled in the melodious and powerful accents of his voice. His thoughts almost always shaped themselves into imagery, and if his eloquence had any fault, it was that his images were too frequent; but they were at the same time so exquisitely beautiful, that he must have been a rigorous critic that could have determined which of them to part with. His wit was not less exuberant than his imagination, and it was the peculiarity of M. Curran's wit, that even when it took the form of a play on words, it acquired dignity from the vein of imagery that accompanied it. Every jest was a metaphor. But the great charm and power of Mr. Curran's eloquence lay in its fervour. It was by this that he animated his friends and appalled his enemies; and the admiration which he thus excited, was the child and the brother of love.

"It was impossible that a man whose mind was thus constituted should not be a patriot; and certainly no man, in modern times, ever loved his country more passionately than Mr. Curran loved Ireland. The services he sought to render her were coeval with his first appearance before the public, and an earnest desire for her advantage and happiness attended him to his latest breath. The same sincere and earnest heart attended Mr. Curran through all his attachments: he was constant and unalterable in his preferences and friendships, public and private. He began his political life in the connexion of Mr. Fox, and never swerved from it for a moment. Prosperity and adversity made no alteration in him; if he ever differed from that great man, it was that he sometimes thought his native country of Ireland was not sufficiently considered. There was nothing fickle or wavering in Mr. Curran's election of mind. The man that from an enlightened judgment, and a true inspiration of feeling, he chose, he never cooled towards, and never deserted.

"Mr. Curran had his foibles and his faults; which of us has not? At this awful moment it becomes us to dwell on his excellencies—and as his life has been illustrious, and will leave a trait of glory behind, this is the part of him that every man of a pure mind will choose to contemplate. We may any of us have his faults—it is his excellencies that we would wish, for the sake of human nature, to excite every man to copy in his proportion to do so."

The following appeared, October 20, in the Day and New Times: it is the production of the Rev. George Croly,* who, it will be seen, was free from any political sympathy which could betray him into exaggerated encomium; but however the views of the circumstances of Mr. Curran's public life may differ in the following sketch from those contained in the preceding volumes, it is still inserted as the honourable attestation of one whom no diversity of political opinion could restrain from offering an eloquent and disinterested tribute to the memory of a departed countryman.

"The public prints, which announced the death of the Right Honorable John Philpot Curran a few days since, gave many valuable tributes to the

*Author of Paris in 1815.

memory of that celebrated man, but they still have left much more room than the present writer could expect to fill, for the detail of his extraordinary powers.

"From the period at which Curran emerged from the first struggles of an unfriended man, labouring up a jealous profession, his history makes a part of the annals of his country; once upon the surface, his light was always before the eye; it never sank, and was never outshone. With great powers to lift himself beyond the reach of that tumultuous and stormy agitation which must involve the movers of the public mind in a country such as Ireland then was, he loved to cling to the heavings of the wave; he at least never rose to that tranquil elevation to which his early contemporaries had, one by one, climbed; and never left the struggle till the storm had gone down—it is to be hoped for ever. This was his destiny, but it might have been his choice; and he was not without the reward which, to an ambitious mind, conscious of eminent ability, might be more than equivalent to the reluctant patronage of the throne. To his habits, legal distinctions would have been only a bounty upon his silence—his limbs would have been fettered by the ermine. But he had the compensation of boundless popular honour, much respect from the higher ranks of party, much admiration and much fear from the lower partisans. In parliament, he was the assailant most dreaded; in the law courts, he was the advocate whose assistance was deemed the most essential: in both he was an object of all the more powerful passions of man, but rivalry. He stood alone, and shone alone.

"The connexions of his early life, and still more the native turn of his feelings, threw him into the ranks of opposition; in England a doubtful cause, and long separable from patriotism—in Ireland, at that day, the natural direction of every man of vigorous feeling and heedless genius. Ireland had been, from causes many and deep, an unhappy country. For centuries, utterly torpid, or only giving signs of life by the fresh gush of blood from her old wounds, the influence of England's well-intentioned policy was more than lost upon her; it was too limited to work a thorough reformation, but too strong not to irritate; it was the application of the actual cautery to a limb, while the whole body was a gangrene. But a man who loved the influence of this noblest of countries, might hate the government of Ireland; it was a rude oligarchy. The whole influence of the state was in the hands of a few great families. Those were the true farmers-general of Ireland; and the English minister, pressed by the business of an empire then beginning to expand over half the world, was forced to take their contract on their own terms. The viceroy was their viceroy, only the first figure in that deplorable triumph which led all the hopes and virtues of the country in chains behind the chariot wheels of a haughty faction. It was against this usurpation that the Irish minority rose up in naked but resolute patriotism. The struggle was not long; they hewed their way through the hereditary armour of their adversaries, with the vigour of men leagued in such a cause, and advanced their standard till they saw it waving without one to answer it. In this homage to an admirable time there is no giddy praise of popular violence. The revolution of 1782 was to Ireland, what the revolution of a century before had been to the paramount country, a great and reviving effort of nature to throw off that phantom which sat upon her breast, and gave her the perception of life only by the struggles that must have closed in stagnation

and death. The policy of the English minister was too enlarged to offer resistance to an impulse awaked on English principles. For him a great service had been done; the building which he had wished to shake was cast down in dust, and the ground left open for the visitation of all the influences of good government. The country had lain before his eye a vast commonage, incapable of cultivation, and breeding only the rank and pernicious fertility of a neglected morass; but he had dreaded to disturb its multitude of lordly pauperism, and hereditary plunder. It was now cleared and enclosed for him, a noble expanse for the outpouring of all that civilization could give to its various and magnificent nature. The history of those years is yet to be written; whenever the temple is erected, the name of Curran must be among the loftiest on its portal.

"But the time of those displays which raised him to his highest distinction as an orator was of a darker shade. His country had risen, like the giant of Scripture, refreshed with wine; her vast original powers doubly excited by an elating but dangerous draught of liberty. She had just reached that state in which there is the strongest demand for the wisdom of the legislator. The old system had been disbanded, but the whole components of its strength survived. The spirit of clanship was still up and girded with its rude attachments; the hatred of English ascendancy had sheathed the sword, but kept it still keen, and only waiting the word to leap from the scabbard; the ancient Irish habits of daring gratification among all ranks, the fallen estate of that multitude who had lived on the pay of political intrigue, the reckless poverty of that overwhelming population to which civil rights could not give bread, all formed a mass of discordant but desperate strength, which only required a sign. The Cross was at length lifted before them, and it was the lifting of a banner to which the whole darkened host looked up, as to an omen of assured victory.—The rebellion was met with manly promptitude, and the country was set at peace. Curran was the leading counsel in the trials of the conspirators, and he defended those guilty and misguided men with a vigour and courage of talent, less like the emulation of an advocate, than the zeal of a friend. He had known many of them in the intercourses of private life, some of them had been his early professional associates—a good man and a good subject might have felt for them all. The English leveller is a traitor, the Irish rebel might have been a patriot. Among us, the revolutionist sets fire to a city, a great work of the wise industry, and old, established conveniency of man, a place of the temple and the palace, the treasures of living grandeur, and the monuments of departed virtue. He burns, that he may plunder among the ruins. The Irish rebel threw his fire-brand into a wilderness, and if the conflagration rose too high, and consumed some of its stately and more solid ornaments, it was sure to turn into ashes the inveterate and tangled undergrowth that had defied his rude industry. This was the effervescence of heated and untaught minds. The world was to be older, before it learned the curse and unhappy end of the reform that begins by blood. The French revolution had not then given its moral. It was still to the eyes of the multitude, like the primal vision in the Apocalypse, a glorious shape coming forth in unstained robes, conquering and to conquer for the world's happiness; it had not yet, like that mighty emblem, darkened down through all its shapes of terror, till it moved against the world, Death on the pale horse, followed by the unchained spirits of human evil, and smiting with plague, and famine, and the sword.

"Eloquence sustained a memorable loss in Curran. On the general subject of public speaking, it must be allowed to the distinguished northern publication which has chiefly discussed the question, that no man can look through even the most triumphant works of the Irish orators without finding much of extravagance and irregularity. Still, the Irish are an eloquent people—perhaps the most eloquent.

"Burke, Sheridan, Curran, and Grattan were Irishmen—all dissimilar in their styles, but all bearing the same lineaments of their country; four memorable men, each, like Homer's chieftains, with his day of unrivalled triumph, and each seeming to come into the field with the radiance of a guiding deity upon his armed brow. Of these, but one survives, standing to this hour on the elevation to which the early gratitude of his country raised him, perhaps the most striking model ever wrought of brilliancy without glare, and vigour without violence. Unattaining and obviously careless to attain the Asiatic and imperial gorgeousness of the great chieftain of his native eloquence, BURKE, he has the close habit, polished armour, and pointed and sparkling steel of the Greek warrior. But Grattan cannot be judged of in England. He declared that his spirit went down into the grave with the parliament of Ireland. It was in his own country, when he gathered her rights and hopes like the wanderers of the air, and gave them shelter under his branches, that this monarch of the wilderness rose and spread in his full magnificence. On the questions which issued in giving a constitution to Ireland, Grattan exhibited powers as lofty as his cause. His feeling, his reason, and his imagination were condensed into one resistless splendour; he smote with intense light; the adversary might as well have stood before a thunderbolt. *Serus in cœlum.* His fame and his labours are a part of the renown and property of his country.

It was Curran's fate never to have been heard in the English legislature. His character is therefore thrown upon his printed speeches, and they can give no adequate impression of the orator. Those speeches were all uncorrected copies, and Curran was of all orators the most difficult to follow by transcription. His elocution, rapid, exuberant, and figurative, in a signal degree, was often compressed into a pregnant pungency which gave a sentence in a word. The word lost, the charm was undone. But his manner could not be transferred, and it was created for his style. His eye, hand, and form, were in perpetual speech. Nothing was abrupt to those who could see him, nothing was lost, except when some flash would burst out, of such sudden brilliancy as to leave them suspended and dazzled too strongly to follow the lustres that shot after it with restless illumination. Of Curran's speeches, all have been impaired by the difficulty of the period, or the immediate circumstances of their delivery. Some have been totally lost. The period was fatal to their authenticity. When Erskine pleaded, he stood in the midst of a secure nation, and pleaded like a priest of the temple of justice, with his hand on the altar of the constitution, and all England below, prepared to treasure every fantastic oracle that came from his lips. Curran pleaded, not on the floor of a shrine, but on a scaffold, with no companions but the wretched and culpable men who were to be plunged from it hour by hour, and no hearers but the multitude, who crowded anxious to that spot of hurried execution, and then rushed away glad to shake off all remembrance of scenes which had agitated and torn every heart among them. It is this which puts his speeches beyond the

estimate of the closet. He had no thought of studying the cold and marble graces of scholarship. He was a being embarked in strong emergency, a man and not a statue. He was to address men, of whom he must make himself the master. With the living energy, he had the living and regardless variousness of attitude. Where he could not impel by exhortation, or overpower by menace, he did not disdain to fling himself at their feet, and conquer by grasping the hem of their robe. For this triumph he was all things to all men. His wild wit, and far-fetched allusions, and play upon words, and extravagant metaphors, all repulsive to our cooler judgments, were wisdom and sublimity before the juries over whom he waved his wand. Before a higher audience he might have been a model of sustained dignity; mingling with those men, he was compelled to speak the language that reached their hearts. Curran, in the presence of an Irish Jury, was first of the first. He skirmished round the field, trying every point of attack with unsuspected dexterity, still pressing on, till the decisive moment was come; when he developed his force, and poured down his whole array in a mass of matchless strength, grandeur, and originality. It was in this originality that a large share of his triumph consisted. The course of other great public speakers may in general be predicted from their outset, but in this man, the mind always full, was always varying the direction of its exuberance; it was no regular stream, rolling down in a smooth and straight-forward volume; it had the wayward beauty of a mountain torrent, perpetually delighting the eye with some unexpected sweep through the wild and the picturesque, always rapid, always glancing back sunshine, till it swelled into sudden strength, and thundered over like a cataract. For his noblest images there was no preparation, they seemed to come spontaneously, and they came mingled with the lightest products of the mind. It was the volcano, flinging up in succession curls of vapour, and fiery rocks; all from the same exhaustless depths, and with the same unmeasured strength to which the light and the massive were equal. The writer had the fortune to hear some of those speeches, and would impress it, that to feel the full genius of the man, he must have been heard. His eloquence was not a studiously sheltered and feebly fed flame, but a torch blazing only with the more breadth and brilliancy, as it was the more broadly and boldly waved; it was not a lamp, to live in his tomb. His printed speeches lie before us, full of the errors that might convict him of an extravagant imagination and a perverted taste. But when those are to be brought in impeachment against the great orator, it must be remembered, that they were spoken for a triumph, which they gained; that we are now pausing over the rudeness and unwieldiness of the weapons of the dead, without reference to the giant hand that with them drove the field. Curran's carelessness of fame has done this dishonour to his memory. We have but the fragments of his mind, and are investigating those glorious relics, separate and mutilated, like the sculptures of the Parthenon; while they ought to have been gazed on where the great master had placed them, where all their shades and fore-shortenings were relief and vigour, image above image, rising in proportioned and consecrated beauty, as statues on the face of a temple.

"His career in parliament was less memorable. But the cause lay in no deficiency of those powers which give weight in a legislative assembly. In the few instances in which his feeling took a part, he excited the same

admiration which had followed him through his professional efforts. But his lot had been cast in the courts of law, and his life was there. He came into the House of Commons wearied by the day, and reluctant to urge himself to exertions rendered less imperious by the crowd of able men who fought the battle of opposition. His general speeches in parliament were the sports of the moment, the irresistible overflow of a humorous disdain of his adversary. He left the heavy arms to the habitual combatants, and amused himself with light and hovering hostility. But his shaft was dreaded, and its subtlety was sure to insinuate its way, where there was a mortal pang to be wrung. With such gifts, what might not such a man have been, early removed from the low prejudices, and petty factions, and desperate objects that thickened the atmosphere of public life in Ireland, into the large prospects, and noble and healthful aspirations that elated the spirit in this country, then rising to that imperial summit from which the world at last lies beneath her! If it were permitted to enter into the recesses of such a mind, some painful consciousness of this fate would probably have been found, to account for that occasional irritation and spleen of heart, with which he shaded his public life, and disguised the homage which he must have felt for a country like England. It must have been nothing inferior to this bitter sense of utter expulsion, which could have made such a being, gazing upon her unclouded glory, lift his voice only to tell her how he hated her beams. He must have mentally measured his strength with her mighty men: Burke and Pitt and Fox were then moving in their courses above the eyes of the world, great luminaries, passing over in different orbits, but all illustrating the same superb and general system. He had one moment not unlike theirs. But the Irish Revolution of 1782 was too brief for the labours or the celebrity of patriotism, and this powerful and eccentric mind, after rushing from its darkness just near enough to be mingled with, and glow in the system, was again hurried away to chillness and shadow beyond the gaze of mankind.

"The details of Curran's private life are for the biographer. But of that portion which, lying between public labours and domestic privacy, forms the chief ground for the individual character, we may speak with no slight panegyric. Few men of his means of inflicting pain could have been more reluctant to use them; few men, whose lives passed in continual public conflict, could have had fewer personal enemies; and perhaps no man of his time has left sincerer regrets among his personal friends. He was fond of encouraging the rising talent of his profession, and gave his advice and his praise ungrudgingly, wherever they might kindle or direct a generous emulation. As a festive companion he seems to have been utterly unequalled, without a second or a similar; and has left on record more of the happiest strokes of a fancy, at once classic, keen, and brilliant, than the most habitual wit of the age.

"*Finis vitæ ejus amicis tristis, extraneis etiam ignotisque non sine cura fuit. Vulgus quoque, et hic aliud agens populus, et ventitavere ad domum, et per fora et circulos locuti sunt; nec quisquam audita morte, aut lætatus est, aut statim oblitus est. Quicquid ex Agricola amavimus, quicquid mirati sumus, manet, mansurumque est in animis hominum, in æternitate temporum, fama rerum.*" TACIT.

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Curran, William Henry

AUTHOR

The Life of John Philpot Curran